

THE HON'BLE SRI JUSTICE R.SUBHASH REDDY
AND
THE HON'BLE SRI JUSTICE A.SHANKAR NARAYANA

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WRIT PETITION No.33993 of 2015

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ORDER: *(Per Hon'ble Sri Justice R.Subhash Reddy)*

The petitioners are the students. After completing Intermediate Course, they appeared for AP EAMCET Examination. The 1st petitioner is claiming admission in NCC category and the 2nd petitioner is claiming admission under Sports quota and both of them belong to SVU local area.

The grievance of the petitioners is that admissions into MBBS Course in the 4th respondent – College are made without following the local area reservation as contemplated under the Andhra Pradesh Educational Institutions (Regulation of Admissions) Order, 1974 (for short, 'Presidential Order'). They relied on the judgment rendered by this Court in W.P.Nos.25586 & 26125 of 2015, dated 19.08.2015.

Counter affidavit is filed by the Registrar of NTR University, wherein, while denying the various allegations made by the petitioners, it is stated that in SVU area, 11 seats are available in NCC Category and out of these 11 seats, 5 seats for OC Category (i.e., 3–General & 2–Female), 1 for BC-A General, 1 for BC-B General, 1 for BC-D General, 2 for SC-General (1-General & 1-Female) and 1 for ST-General. It is stated that based on the merit order fixed by the NCC authorities, University has conducted conselling on 29.09.2015 and admissions are made in the order of merit as per the priorities given by the NCC authorities.

Similarly, with regard to claim of the second petitioner under Sports quota, it is stated that in SVU area, 5 seats are available under Sports & Games category and out of these 5 seats, 3 seats are

meant for OC category (i.e., 2-General & 1-Female), 1 for BC-B General and 1 for SC-General. It is further stated that basing on the merit order fixed by the SAAP authorities, University has conducted counseling on 30.09.2015 and admissions are made in the order of merit as per the priorities given by the SAAP authorities.

The petitioners are not disputing the priorities notified either in the NCC category or in the Sports and Games category. It is also not their allegation that lesser meritorious/priority candidates than them were allotted seats either in NCC quota or Sports quota. The only allegation of the petitioners is that admissions into MBBS Course in the 4th respondent – College are made without following the local area reservation as contemplated under the Presidential Order and the Government has issued orders in G.O.Ms.No.120 dated 23.08.2014 to fill up 85% of available seats in the 4th respondent – College by treating the candidates of the 13 districts of the residuary State of Andhra Pradesh as one unit for admissions contrary to the Presidential Order. In W.P.Nos.25586 & 26125 of 2015 filed questioning the said G.O., this Court, by order dated 19.08.2015, allowed the writ petitions quashing G.O.Ms.No.120, dated 23.08.2014, and further directing to make admissions afresh. Aggrieved thereby, the matters were carried by way of Special Leave Petitions before the Hon'ble Supreme Court. The Hon'ble Supreme Court, while accepting the offer made on behalf of the College to accommodate the writ petitioners therein in N.R.I quota, has held that no further counseling is necessary. It is true that admissions into MBBS Course in the 4th respondent – College are not made as per the local area reservation as contemplated under the Presidential Order, but in view of the orders passed by the Hon'ble Supreme Court, no directions can be issued in this writ petition. Further, it is brought to our notice that classes of MBBS Course have commenced from 01.09.2015. Hence, we do not find any merit in this writ petition.

Accordingly, the Writ Petition is dismissed. No order as to costs.

As a sequel, pending miscellaneous petitions, if any, shall stand

closed.

JUSTICE R.SUBHASH REDDY

JUSTICE A.SHANKAR NARAYANA

04.12.2015

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