

**IN THE COURT OF PUNJAB AND HARYANA HIGH COURT
AT CHANDIGARH**

-.-

**C.W.P No. 12407 of 2015(O&M)
Date of Decision: January 27, 2016.**

**Maharishi Markandeshwar Institute of
Medical Science and Research & Anr.**

..... Petitioner

Versus

Medical Council of India

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL

Present:- Mr. Kulbhushan Raheja, Advocate, for
Mr. Ajay Jain, Advocate, for the petitioners.

Mr. J.S.Gill, Advocate, for
Mr. M.S.Longia, Advocate, for the respondent

Rajesh Bindal, J.

The challenge in the present petition is to the circular No. MCI-34 (MC)/2014/149869, dated 16.01.2015 issued by Medical Council of India for the academic year 2015-2016 onwards.

Learned counsel for the parties do not dispute the fact that the issue was gone into by a Division Bench of Karnataka High Court in Writ Petition No.102850-51 of 2015, titled as **Shri Basaveshwar Vidya Vardhak Sangha & Another Vs. The Medical Council of India**, decided on 17.04.2015 and the circular in question was set aside. The aforesaid judgment of Karnataka High Court was challenged by Medical Council of India by filing Special Leave to Appeal (C) Nos. 16229-16230 of 2015, titled as **Medical Council of India Vs. KLE University & Another**, which was dismissed by Hon'ble the Supreme Court vide order dated 06.07.2015.

In view of the fair stand taken by learned counsel for the parties that the prayer made is squarely covered by the judgment of Karnataka High Court in **Shri Basaveshwar Vidya Vardhak Sangha's** case (supra), as upheld by the Hon'ble Supreme Court in **Medical Council of India's** case (supra), and for the reasons stated in the aforesaid judgment, the impugned circular issued by the respondent is quashed.

The petition stands disposed of.

January 27, 2016
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(RAJESH BINDAL)
JUDGE