

\$~30

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ LPA 497/2018 & CM.APPL.35193/2018 (interim relief)

DR VINAYAK VERMA

..... Appellant

Through: Mr.Jayant Mehta with Mr.Divyanshu Kumar,
Advocates.

versus

MEDICAL COUNSELING COMMITTEE & ORS Respondents

Through: Mr.Rajesh Kumar with Ms.Santwana,
Advocates for R-1.

Mr.T. Singh Dev, Mr.Tarun Verma,
Ms.Amandeep Kaur, Mr.Abhijeet, Ms.Puja
Sarkar and Ms.Michelle, Advocates for R-
2/MCI.

Ms.Ekta Sikri and Mr.Jasbir Bidhuri, Advocates
for R-3.

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

O R D E R

% **31.08.2018**

CM.APPL.35194/2018, 35195/2018 & 35196/2018 (Exemptions)

Exemptions allowed, subject to all just exceptions.

The applications stand disposed of.

LPA 497/2018 & CM.APPL.35193/2018 (interim relief)

Mr.Mehta, learned counsel appearing for the appellant submits that a writ petition filed by the appellant has been adjourned on 16.07.2018, 25.07.2018, 07.08.2018 & 16.08.2018 due to paucity of time. He further submits that he cannot really make a complaint for the matter being adjourned as the board of the learned Single Judge is extremely heavy. He further submits that the career of a young doctor/appellant is a stake and unless the writ petition is heard urgently he would suffer irreparable loss and his future prospects would be adversely affected. He also relies on information received by him under the RTI

Act that one seat is vacant and the appellant can thus be accommodated without disturbing the seat of any other candidate. He further submits that the Supreme Court has held that where the student is not at fault, the time period for allocation of a seat can be extended if the candidate approaches the Court in time.

Counsel for the respondents however, submits that there is no seat available for M.S. (General Surgery) course which the appellant is seeking. Having regard to the response given under the RTI Act, they would seek fresh instructions in the matter.

Learned counsel appearing for Medical Council of India (MCI) submits that the last date for admissions was 31.05.2018.

Taking into consideration the submissions made, we direct the writ petition to be listed on 04.09.2018 before the learned Single Judge to enable the respondents to seek instructions in the meanwhile. We also request the learned Single Judge to hear the matter expeditiously, although we are also conscious of heavy board of learned Single Judge.

The appeal stands disposed of.

G.S.SISTANI, J

SANGITA DHINGRA SEHGAL, J

AUGUST 31, 2018

afa

LPA 497/2018

2/2