

राजस्थान उच्च न्यायालय पाठ, जयपुर  
IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN,  
AT JAIPUR BENCH, JAIPUR

S.B. CIVIL WRIT PETITION NO. - 9716 /2011

In the matter of:

Mahatma Gandhi Medical College & Hospital  
Through its Principal  
RIICO Institutional Area,  
Sitapura, Jaipur - 302022  
Rajasthan

2/52P  
26/7/11  
... Petitioner

Versus

1. Medical Council of India,  
Through its Board of Governors,  
Pocket-14, Sector-8, Dwarka,  
New Delhi-110 077.
2. Union of India  
Through its Secretary,  
Ministry of Health & F.W.,  
Department of Health,  
Nirman Bhawan,  
New Delhi.
3. The Convenor,  
Central Under Graduate Admission Board  
Rajasthan University of Health Sciences,  
Jaipur

... Respondents

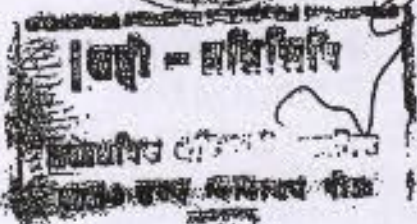
WRIT PETITION UNDER ARTICLE 226 OF THE  
CONSTITUTION OF INDIA FOR ISSUANCE OF WRIT,  
ORDER AND DIRECTION IN THE NATURE OF  
CERTIORARI, INTER-ALIA QUASHING AND SETTING  
ASIDE IMPUGNED DECISION DATED 30.06.2011 ISSUED  
BY THE RESPONDENT-MCI AND FOR ISSUANCE OF WRIT,  
ORDER AND DIRECTION IN THE NATURE OF MANDAMUS,  
INTER-ALIA, DIRECTING THE RESPONDENTS TO GRANT  
CONTINUATION OF RENEWAL OF PERMISSION FOR  
ADMISSION OF 4<sup>TH</sup> BATCH OF MBBS STUDENTS FOR THE  
ACADEMIC YEAR 2011-12, AGAINST THE INCREASED  
INTAKE FROM 100 TO 150 AT MAHATMA GANDHI  
MEDICAL COLLEGE & HOSPITAL, JAIPUR, UNDER  
SECTION 10A OF THE INDIAN MEDICAL COUNCIL ACT



2

1956 AND DIRECTING THE RESPONDENT NO.3 TO  
ALLOCATE 127 STUDENTS FROM THE STATE CET LIST.

To



*Handwritten signature*

Jaipur Bench

Civil Writ Petition No.9716/2011  
Mahtama Gandhi Medical College & Hospital  
Versus Medical Council of India & Ors

Date of Order ::: 29/07/2011

Hon'ble Mr. Justice Ajay Rastogi

Mr. Maninder Singh Sr. Advocate  
Mr. Sanjay Prakash Sharma Sr. Advocate with  
Mr. Bharat Vyas and Mr. Saransh Saini, for petitioner.

Counsel inter-alia submits that Central Government in consultation with Medical Council of India ("MCI") vide its letter dt.29/07/2008 granted approval for increase of the seats in MBBS course from 100 to 150 from academic year 2008-09 and granted yearly renewal for last three academic years and there is no change in norms/standards laid down by MCI' regarding defects pointed in their communication dt. 30/06/2011 impugned; and no defect pointed out by MCI is neither in conformity with inspection report nor in consistent with standards which are already approved by MCI and such a decision is arbitrary and without application of mind.

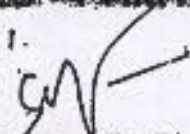
Heard. Admit. Issue notice of writ & stay petition to respondents. Notices may be given 'dasti', if desired.

In the meanwhile, operation of the order dt.30/06/2011 of respondent MCI shall remain stayed till further orders and respondent No 2 is directed to permit the





present petitioner also to participate in the counselling process subject to final decision of writ petition.

  
(Ajay Rastogi), J.

K. Khatri/p2/  
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