

ITEM NO.6

COURT NO.2

SECTION IV-A

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) Nos.18381-18390/2017

(Arising out of impugned final judgment and order dated 07-07-2017 in WP No. 6769/2017 07-07-2017 in WP No. 6774/2017 07-07-2017 in WP No. 15477/2017 07-07-2017 in WP No. 17126/2017 07-07-2017 in WP No. 24648/2017 07-07-2017 in WP No. 24649/2017 07-07-2017 in WP No. 24739/2017 07-07-2017 in WP No. 24740/2017 07-07-2017 in WP No. 25147/2017 07-07-2017 in WP No. 25587/2017 passed by the High Court of Karnataka at Bangalore)

TRUPTI V REDDY ETC. ETC.

Petitioner(s)

VERSUS

THE STATE OF KARNATAKA & ANR.

Respondent(s)

(With appln.(s) for exemption from filing O.T., declaring the petitioner as major and permission to file additional documents)

Date : 02-08-2017 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DIPAK MISRA
HON'BLE MR. JUSTICE AMITAVA ROY
HON'BLE MR. JUSTICE A.M. KHANWILKAR

For Petitioner(s) Dr. Rajeev Dhawan, Sr. Adv.
Mr. G.V. Chandrashekar, Adv.
Mr. N.K. Verma, Adv.
Mr. Pranav Jain, Adv.
Ms. Anjana Chandrashekar, AOR

For Respondent(s) Mr. P.S. Narasimha, ASG
Mr. Sanjai Kumar Pathak, Adv.
Mr. R.K. Verma, Adv.
Mr. Sarad Kumar Singhania, Adv.
Mr. B.V. Balram Das, Adv.
Mr. G.S. Makker, Adv.

Mr. Tara Chandra Sharma, AOR
Ms. Neelam Sharma, Adv.
Ms. Pankhuri Shrivastava, Adv.
Mr. Rajeev Sharma, Adv.
Mr. Rupesh Kumar, Adv.

Mr. Basava Prabhu Patil, Sr. Adv.
Mr. A.S. Ponnanna, Addl. Adv. Gen.
Mr. V.N. Raghupathy, AOR
Mr. Chinmay Deshpande, Adv.
Mr. Parikshit P. Angadi, Adv.

UPON hearing the counsel the Court made the following
O R D E R

Heard Dr. Rajeev Dhawan, learned senior counsel along with Mr. C.V. Chandrashekar, learned counsel for the petitioners and Mr. Basava Prabhu Patil, learned senior counsel for the State of Karnataka. We have also heard Mr. P.S. Narasimha, learned Additional Solicitor General for the Union of India.

Mr. Narasimha has, after obtaining specific instructions, stated that the Union of India has not framed any rule as it is open to the State Government to frame the rules. He has further stated that the Union of India has done away the distinction between the overseas citizen of India (OCI) and the persons of Indian origin (PIO) with respect to 15% of the All India Quota and the same is specifically provided in the brochure.

Dr. Dhawan, learned senior counsel appearing for the petitioners has refuted the same by referring to the letter dated 19th December, 2016. The parties are at liberty to file affidavits bringing the documents on record.

As an interim measure, it is directed that the petitioners, who are ten in number, are permitted to participate in the second counseling which is going to be held on 17th August, 2017. We are sure the State of Karnataka shall not deviate to follow the order in letter and spirit. If any of the candidates is not eligible, needless to say, the counseling may be held, but the result of thereof may be withheld. In that event, liberty is granted to the learned counsel for the petitioners to mention before this Court.

Be it clarified, barring the petitioners herein, no other candidate's prayer shall be entertained. No High Court shall entertain any prayer of any candidate who had not approached the court.

Let the matter be listed for final disposal on 7th November, 2017.

(Chetan Kumar)
Court Master

(H.S. Parasher)
Assistant Registrar