

REPORTABLE

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

**CIVIL APPEAL NO. 9690 OF 2011
(Arising out of SLP (C) No.27690 of 2011)**

Orissa Private Medical & Dental Colleges
Association, through its Chairman

..... Appellant

versus

Chairman, Orissa Joint Entrance
Examination-2011 & Ors.

..... Respondents

ORDER

H. L. Dattu, J.

- 1) Leave granted.
- 2) The appellant – Orissa Private Medical and Dental Colleges Association in this appeal is impugning the Judgment and Order passed by Orissa High Court in W.A. No. 429 of 2011 dated 07.09.2011.
- 3) For the purpose of disposal of this appeal, we need not notice in detail the facts and issues raised in this appeal,

since the submission made by the learned counsel at the time of hearing lie in a narrow compass.

- 4) Sri. L. Nageshwara Rao, learned senior counsel, submits that in view of the Reply Affidavit filed by Chairman, Orissa Joint Entrance Examination – 2011 (for short, “OJEE-11”) – Respondent No. 1, a direction may be issued to them to conduct further counseling from among 624 OJEE-11 qualified candidates, who are in the waiting list to fill up eight vacant seats in the Private Medical Colleges, which are members of the appellant Association.
- 5) The learned counsel for the respondent OJEE-11 does not object to the reasonable request made by the learned senior counsel for the appellant.
- 6) In the result, we order that Respondent No. 1 will conduct further counseling for the 624 OJEE-11 qualified candidates in the waiting list to fill up the eight seats, that are still vacant in the Private Medical College/Colleges, which are the members of the appellant Association on or before 24.11.2011, subject to the rules and regulations applicable for admissions. The appellant shall also furnish the list of

candidates admitted to the appropriate authority on or before
30.11.2011.

- 7) The appeal is disposed of accordingly.

.....J.
[H.L. DATTU]

.....J.
[CHANDRAMAULI KR. PRASAD]

New Delhi,
November 11, 2011.

