

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s).13079-13081/2025

[Arising out of impugned final judgment and order dated 24-03-2025 in PIL(L) No. 12834/2024 24-03-2025 in WP No. 2703/2023 24-03-2025 in WPL No. 24270/2024 passed by the High Court of Judicature at Bombay]

COLLEGE OF PHYSICIAN AND SURGEON CPS HOUSE

Petitioner(s)

VERSUS

SUHAS HARI PINGLE & ORS.

Respondent(s)

[TO BE TAKEN ON TOP OF THE BOARD FOR FINAL HEARING]

IA No. 244920/2026 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 244921/2026 - EXEMPTION FROM FILING O.T.

IA No. 120569/2026 - EXEMPTION FROM FILING O.T.

IA No. 176884/2025 - EXEMPTION FROM FILING O.T.

IA No. 244918/2026 - INTERVENTION APPLICATION

IA No. 120567/2026 - INTERVENTION APPLICATION

IA No. 117898/2025 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURESIA No. 42986/2026 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES

IA No. 116734/2025 - PERMISSION TO FILE LENGTHY LIST OF DATES

WITH

SLP(C) No. 16906-16908/2025 (IX-A)

FOR

FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA
128200/2025

FOR APPLICATION FOR PERMISSION ON IA 228092/2025

FOR PERMISSION TO FILE APPLICATION FOR DIRECTION ON IA 320469/2025

FOR INTERVENTION APPLICATION ON IA 322029/2025

FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 325946/2025

FOR impleading party ON IA 325948/2025

FOR INTERVENTION/IMPLEADMENT ON IA 325948/2025

FOR impleading party ON IA 244765/2026

FOR INTERVENTION/IMPLEADMENT ON IA 244765/2026

FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 244767/2026

FOR impleading party ON IA 244798/2026

FOR INTERVENTION/IMPLEADMENT ON IA 244798/2026

FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 244800/2026

FOR impleading party ON IA 245159/2026

FOR INTERVENTION/IMPLEADMENT ON IA 245159/2026

FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 245161/2026

IA No. 228092/2025 - APPLICATION FOR PERMISSION

IA No. 244800/2026 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 244767/2026 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 325946/2025 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 245161/2026 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 128200/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT
IA No. 322029/2025 - INTERVENTION APPLICATION
IA No. 244798/2026 - INTERVENTION/IMPLEADMENT
IA No. 244765/2026 - INTERVENTION/IMPLEADMENT
IA No. 325948/2025 - INTERVENTION/IMPLEADMENT
IA No. 245159/2026 - INTERVENTION/IMPLEADMENT
IA No. 320469/2025 - PERMISSION TO FILE APPLICATION FOR DIRECTION
Diary No(s). 46017/2025 (IX-A)

IA No. 229488/2025 - CONDONATION OF DELAY IN FILING
IA No. 229485/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT
IA No. 229483/2025 - PERMISSION TO FILE PETITION (SLP/TP/WP/..) Diary No(s). 70397/2025 (IX-A)
FOR PERMISSION TO FILE PETITION (SLP/TP/WP/..) ON IA 321681/2025
FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 321682/2025
FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA 321686/2025
FOR CONDONATION OF DELAY IN FILING ON IA 321688/2025
FOR EXEMPTION FROM FILING O.T. ON IA 321690/2025
IA No. 321688/2025 - CONDONATION OF DELAY IN FILING
IA No. 321682/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT
IA No. 321690/2025 - EXEMPTION FROM FILING O.T.
IA No. 321686/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES
IA No. 321681/2025 - PERMISSION TO FILE PETITION (SLP/TP/WP/..) Diary No(s). 72168/2025 (IX-A)
FOR PERMISSION TO FILE PETITION (SLP/TP/WP/..) ON IA 331564/2025
FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 331567/2025
FOR CONDONATION OF DELAY IN FILING ON IA 331569/2025
FOR impleading party ON IA 331571/2025
FOR INTERVENTION/IMPLEADMENT ON IA 331571/2025
FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 146543/2026
IA No. 146543/2026 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 331569/2025 - CONDONATION OF DELAY IN FILING
IA No. 331567/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT
IA No. 331571/2025 - INTERVENTION/IMPLEADMENT
IA No. 331564/2025 - PERMISSION TO FILE PETITION (SLP/TP/WP/..)

Date : 16-09-2026 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.B. PARDIWALA
HON'BLE MR. JUSTICE K. VINOD CHANDRAN

For Petitioner(s) :Mr. Siddharth Bhatnagar, Sr. Adv.
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Mr. Adithya Sidhra, Adv.
Ms. Nidhi Sing, Adv.
Mr. Prashant Thomar, Adv.

Mr. Chandra Shekhar Padhi, Adv.
Mr. Pradeep Chandra Sati, Adv.
Mr. Ambuj Ojha, Adv.
Mr. Nitish Kumar Rai, Adv.
Ms. Nalini, Adv.
Ms. Anita, Adv.
Ms. Divya Mishra, Adv.
Mr. Jaydip Pati, AOR

Ms. Vibha Datta Makhija, Sr. Adv.
Ms. Vibha Datta Makhija, Adv.
Mr. Raj Kishor Choudhary, AOR
Mr. Shakeel Ahmed, Adv.
Mr. Vikram Patralekh, Adv.
Ms. Shalini Tripathi, Adv.
Mr. Himanshu Gupta, Adv.
Mr. Shivam Yadav, Adv.
Mr. Syed Faizan Ali, Adv.
Mr. Vineet Jindal, Adv.
Ms. Gulfeshan Javed, Adv.
Mr. Ranjan Kumar, Adv.
Ms. Rohini Narayanan, Adv.
Ms. Rohini, Adv.

Mr. Vikas Singh, Sr. Adv.
Mr. Dama Seshadri Naidu, Sr. Adv.
Mr. Roddam Prashanth Reddy, Adv.
Mr. Poornachandiran R, Adv.
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Ms. Ishika Swami, Adv.

For Respondent(s) :Mr. Shekhar Naphade, Sr. Adv.
Mr. V M Thorat, Adv.
Mr. Samrat Krishnarao Shinde, AOR
Mr. Pratyush Kalro, Adv.
Mr. Karan Bishnoi, Adv.

Mr. R. Venkataramani, Attorney General for India
Ms. Madhulika Upadhyay, AOR

Mr. Kartikay Aggarwal, Adv.
Mr. Ameyavikrama Thanvi, Adv.
Mr. Raman Yadav, Adv.
Mr. Chitvan Singhal, Adv.
Mr. Abhishek Kr.pandey, Adv.
Mr. Mukesh Kr.singh, Adv.

Mr. Gaurav Sharma, Sr. Adv.
Mr. Prateek Bhatia, AOR

Mr. Chapalgaonkar Siddharth Sarang, AOR
Mr. Mahesh Bhatane, Adv.
Ms. Sneha Sanjay Botwe, Adv.
Mr. Akash Tripathi, Adv.

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Mr. Aditya Krishna, Adv.
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Mr. Sagar Pahune Patil, AOR

Mr. Amit Kumar, Sr. Adv.
Mr. Avijit Mani Tripathi, AOR
Mr. Aditya S. Pandey, Adv.
Mr. Himanshu Sehrawat, Adv.
Mr. Aditya Kumar, Adv.
Ms. Rekha Bakshi, Adv.

Mr. Kenneth Martin, Adv.
Mr. Vaibhav Gulia, Adv.
Ms. Rakhi Ray, AOR

Mr. Harin P. Raval, Sr. Adv.
Mr. Apoorve Karol, Adv.
Ms. Urmi H Raval, Adv.
Ms. Shreya Bansal, Adv.
Ms. Shrestha Narayan, Adv.
Mr. Ankur Yadav, AOR

Mr. Anuj Saxena, AOR
Ms. Payal Gaikwad, Adv.
Mr. Anuj Ruhela, Adv.
Mr. Manan Malik, Adv.
Mr. Harsh Saxena, Adv.

Mr. Shivam Rohilla, Adv.

Ms. Sneha Rani, Adv.

Mr. Abhishek Verma, Adv.

Ms. Saumya Dwivedi, Adv.

Ms. Neema, AOR

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

1. Our order dated 13th November, 2025 is relevant for the purpose of the order that we propose to pass today.
2. Our order dated 13th November, 2025 reads thus:-

"1. We heard Mr. R Venkataramani, the learned Attorney General for India appearing for the Union of India, Mr. Gaurav Sharma, the learned senior counsel appearing for the National Medical Commission of India and Mr. Sanjay R. Hegde, the learned counsel appearing for some of the students.

2. We are happy to note that there is some substantial progress in the matter for which we are very grateful to the learned Attorney General.

3. In a meeting which was convened between all stakeholders excluding the College of Physician and Surgeon, in principle the authorities have reached to the following understanding:-

"a. Students may be categorized as follows:

1. CATEGORY -1: Students enrolled in any of the 10 qualifications (i.e. 6 FCPS course, 3 Diploma Course and 1 MCPS course) up to the academic year 2022-2023;

ii. CATEGORY-II: Students enrolled in any of the 10 qualifications (Le. 6 FCPS course, 3 Diploma Course and 1 MCPS course) in academic year 2023-2024 and onwards;

iii. CATEGORY-III: Student enrolled in courses other than the above mentioned 10 qualifications in academic year 2017-2018, 2018-2019 etc.

b. Regarding Category-1, Ministry of Health & Family Welfare (MoHFW) in consultation with National Medical Commission (NMC), after due deliberation and discussion with all bodies involved in conducting of examination, with a view to protect the interest of the students, and as a one-time measure, has decided

as under:

i. Category I students whose final examinations are due shall be permitted to appear in their final examination of their respective FCPS/Diploma/MCPS course.

ii. As a onetime measure, the examination shall be conducted by the CPS in a fair and transparent manner, as per their course curriculum, not later 3 months from the date allowed by this Hon'ble Court.

iii. Students shall be granted only 2 attempts to pass the examination. 2nd attempt, if any, to be conducted within a period of 2 months after the declaration of results of 1st examination. No additional attempts will be given to the students for appearing in the examination.

iv. Students successfully passing the examination will be entitled to have the qualification FCPS/Diplomat MCPS as granted by CPS entered in the State Medical Council / National Medical Commission, as the case may be. Students will not be entitled to claim any additional benefit or privilege, except having FCPS/ Diploma/ MCPS entered in State Medical Register / National Medical Register.

c. For this category of students it is further suggested that:

i. Permission may be granted to appear in the final examinations of respective FCPS/Diploma/MCPS courses

ii. Examination to be conducted by CPS, as a one-time measure, within 3 months.

iii. Only two attempts allowed; second attempt within 2 months of first result.

iv. Successful candidates' qualifications to be entered in state/National Medical Registers.

d. For Category II, as per the list furnished by CPS there are 239 students. These students have been admitted by CPS despite MoHFW letter dated 19.07.2024, wherein, MoHFW has made it unequivocally clear that no admission can be granted by CPS for the a.y. 2023-2024. By the said letter, CPS was categorically informed by MoHFW the last date for admission as fixed by this Hon'ble Court is already over. Despite there being specific direction from MoHFW, CPS has deliberately admitted these students. It is also pertinent to mention that by this time PGMEB, NMC had de- recognized / discontinued the courses conducted by CPS. The admission are completely illegal. Extension of the length being given to Category 1, to this

Category will be a matter of consideration for this Hon'ble Court.

e. In this category, as per the list furnished by CPS, CPS has included many admissions in different qualifications (other than the above 10 qualifications) from 2017 onwards. On an earlier occasion, MoHFW vide its letter dated 18.10.2022 had regularized the qualification granted to 466 students by CPS who were admitted between 17.1.2017 to 22.01.2018. CPS has not explained as to how the names of these students did not figure earlier and has now cropped up for the 1st time after 7 years. CPS in its list has added students who have failed the course in the year 2017 and 2018. It appears that the attempt of CPS is to procure additional attempts for every student who has been enrolled in the past. Extension of the length being given to Category I, to this Category will be a matter of consideration for this Hon'ble Court."

4. It appears that there are almost 852 students in Category (I). So far as the Category (II) is concerned, there are around 239 students and insofar as the Category (III) is concerned, there are 57 students.

5. Insofar as all those students falling in Category (I) are concerned, their interest has been well protected. Insofar as the students falling in Category (II) is concerned, we take notice of the fact that the CPS had admitted them despite letter received from MoHFW dated 19.7.2024 informing that no admission should be granted for AY 2023-2024, the students were admitted. The respondents are not inclined to afford any protection to the students falling in Category (II). Insofar as the students falling in Category (III) are concerned, they are around 57 in numbers. They have already completed their entire course long time back.

6. Today, we may only request the learned Attorney General and Mr. Gaurav Sharma to once again re-consider the decision insofar as Category (III) is concerned.

7. We enquired with the learned counsel appearing for the petitioner(s) as to who are the students, who are falling in each of the categories. However, they do not have the necessary data in this regard. In such circumstances, the CPS shall provide a complete correct & statement of all the students with their names falling in three different categories i.e. Category No.I, Category

No.II and Category No.III respectively by the next date of hearing.

8. List on 18.12.2025.

9. Once the entire list of the students is placed before us, we shall thereafter proceed to pass an order to publish it and make it public.

10. We once again request the Learned Attorney General to reconsider students falling within Category III."

3. Thus, by our order dated 13th November, 2025 referred to above, we had classified the students in three categories. We have recorded in our order dated 13th November, 2025 that the interest of all the students falling in Category (I) has been well protected.

4. We have also recorded that insofar as the students falling in Category (II) are concerned, the CPS had admitted them despite letter received from the Ministry of Health and Family Welfare (MoHFW) informing that no admission be granted for A.Y. 2023-2024.

5. Insofar as the students falling in Category (III) are concerned, they have already completed their entire course long time back.

6. Today, we propose to take care of all those students who are falling in Category (IV).

7. We are informed that there are, in all, 962 students falling in Category (IV). It is not in dispute that they have also completed their course. All that is now left is the examination.

8. Insofar as the challenge to the impugned judgment and order passed by the High Court is concerned, we will be hearing all the learned counsel. We shall decide the legality and validity of the impugned judgment and order on its own merits, however, we firmly

believe that let the students be relieved of this entire imbroglio that has been created.

9. In such circumstances, we direct that let 962 students of the IVth Category, shall be permitted to appear in the examination as may be scheduled by the authority concerned. Let the authority proceed to fix the program of the examination and inform each and every student to prepare themselves.

10. How to schedule the examination, is for the authority to plan it out. It is needless to clarify that the examinations shall be for all the four categories of students.

11. We further make it clear that there shall not be any fresh admission of students in the petitioner college/course till we pronounce the final judgment.

12. We make it clear that these 962 students falling in Category (IV) shall be permitted to appear in the examination despite there being any objection at the end of the National Medical Commission (NMC) and the Union of India.

13. In the peculiar facts and circumstance of this case, we have passed this order.

14. The main matter shall now be notified for final hearing on 23rd September, 2026.

(HARPREET KAUR)
COURT MASTER (SH)

(POOJA SHARMA)
COURT MASTER (NSH)