

HGRJ & MNJ:
05.07.2018

1. Petitioners are not citizens of India. They are citizens of foreign countries. They state that they are Overseas Citizens of India (OCI) cardholders. They claim that they are eligible to be considered for admission to I year MBBS/BDS course in Karnataka for the academic year 2018-19 under various categories of seats. However, learned counsel for the petitioners submitted that the petitioners are not claiming any government seats. He submitted that the question similar to the one raised herein and relating to the previous academic year i.e. 2017-18 had come up for consideration before this Court in W.P.No.23448/2017 and connected petitions and this Court has disposed of those petitions by order dated 07.07.2017. A copy of the order is produced as Annexure-P. Operative portion of the said order reads as follows:

"13. In the result, we hold that *Overseas Citizens of India cardholders* who are NEET UG 2017 qualified shall be entitled to be treated on par with *Non-Resident Indians* in the matter of admission to I year MBBS/BDS course for the academic year 2017-18. Further, if they are eligible for admission under various categories of seats as per the relevant Acts and/or Rules governing admission to I year medical/dental course in Karnataka for the academic year 2017-18, they shall be considered for admission under all such categories of seats."

Pleading urgency in the matter, the learned counsel prayed for grant of an interim order in the above terms.

2. Sri A.S.Ponnanna, learned Additional Advocate General appearing for State of Karnataka and the Director of Medical Education, Karnataka (R1 & R2), Sri N.K.Ramesh, learned

Counsel appearing for Karnataka Examinations Authority (R3 & R4) and Sri C.Shashikantha, learned Assistant Solicitor General of India appearing for Union of India (R6 & R7) submitted that State of Karnataka, and others have preferred petitions against the aforesaid order of this Court dated 07.07.2017 in *Petition for Special Leave to Appeal (C) Nos.18381-18390/2017, WP(C) No.111/2018 (x) and Diary No.9339/2018 (IV-A)* and that the question raised herein is being considered by the Supreme Court in those petitions which are now directed to be listed on 17.07.2018. They submitted that, as the matter is being considered by the Supreme Court, it is appropriate for this Court to defer consideration of these petitions till 17.07.2018.

3. The learned Additional Advocate General brought to our notice the order dated 24.05.2018 passed by the Supreme Court directing listing of the aforesaid petitions on 17th July, 2018. As the matter is being considered by the Hon'ble Supreme Court, we deem it appropriate to defer consideration of these writ petitions till 18.07.2018. We decline to pass any interim order in these petitions.

List the petitions on 18.07.2018.

**Sd/-
JUDGE**

**Sd/-
JUDGE**

hkh.