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**The Hands off IIMs Movement**

**Hands Off IIMs**

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**ITEM NO. 23**

**Court No. 1**

**SECTION PIL**

**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**

**I.A. No. 3 in Writ Petition (Civil) No. 63 of 2004**

SANDEEP PAREKH & ORS. ....Petitioner(s)

VERSUS

UNION OF INDIA & ORS. ....Respondent(s)

(For modification of Court's order and office report)

Date : 19/03/2004 This Petition was called on for hearing today.

CORAM:

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE S.B. SINHA  
HON'BLE MR. JUSTICE S.H. KAPADIA

For Petitioner(s): Mr. Harish N. Salve, Sr. Adv.  
Mr. P.H. Parekh, Adv.  
Mr. Sameer Parekh, Adv.  
Mr. E.R. Kumar, Adv.  
Ms. Ranjita Rohtagi, Adv.  
for M/s. P.H. Parekh & Co., Adv.

For Respondent(s): Mr. Mukul Rohtagi, ASG  
Mr. Saurabh Kirpal, Adv.  
Mrs. Anil Katiyar, Adv.  
  
Mr. S.U.K. Sagar, Adv.  
Ms. Bina Madhavan, Adv.  
Mr. Bikas Kumar Gupta, Adv.  
Ms. Pooja Nanekar, Adv.  
Ms. Anupama, Adv.

UPON hearing counsel the Court made the following:

**ORDER**

When this matter was taken up on 27<sup>th</sup> February, 2004, Shri Harish N. Salve, Learned senior counsel appearing for the petitioners stated that he has no quarrel with the lowering of the fees, if the Central Government gives an undertaking that the autonomy of the Institutions shall not be interfered with and appropriate funds would also be provided to those Institutions. However, while dictating the order the word 'undertaking' could not be incorporated in the order dated 27<sup>th</sup> February, 2004. Under such circumstances, the petitioners have moved this interlocutory application for recording 'undertaking' in the order dated 27<sup>th</sup> February, 2004 or to recall the order dated 27<sup>th</sup> February, 2004. This interlocutory application was listed on 12<sup>th</sup> March, 2004, when Shri Rohtagi, learned Additional Solicitor General took a week's time to obtain instructions from the Central Government and as such the matter has come up today.

When the case was taken up today, learned Additional Solicitor General accepted the notice of the application and stated that the Central Government is unable to give any undertaking except what the statement was recorded on 27<sup>th</sup> February, 2004. Since there is a controversy in regard to giving an undertaking by the Central Government, we recall the order dated 27<sup>th</sup> February, 2004.

Consequently, the order dated 16<sup>th</sup> February, 2004, is revived. The petitioners may now file an affidavit alongwith the other documents, as directed earlier. Shri Harish N. Salve, learned senior counsel further prayed that he may also be permitted to implead all IIMs. He may do so by filing interlocutory application.

List this matter on 8<sup>th</sup> April, 2004.

Sd/-  
(Alka Dudeja)  
Court Master

Sd/-  
(Janki Bhatia)  
Court Master

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