



category are shown at 327 i.e. 3 less than the seats which were available in the year 2019.

4. In the affidavit-in-reply, in paragraphs 11 and 13, the Director of Medical Research and Education, State of Maharashtra, has endeavoured to justify the allocation of seat matrix. The procedure adopted for calculating the additional seats is professed to be explained in paragraph 13. However, in sub-paragraph (ii) of Paragraph 13, there is a categorical assertion that the additional seats in individual subjects and individual government medical colleges were not taken into consideration. Prima-facie, the affidavit-in-reply does not fully equip the Court to effectively address the controversy sought to be raised in this petition.

5. In the aforesaid backdrop, the respondent Nos.1 to 3 shall file an affidavit making its position clear and address the issues raised in the rejoinder filed by the petitioners, including the following issues :

1. Why the total number of post-graduate seats for open category for the year 2020-2021 (327 seats) are less than those for the year 2019 (330 seats) despite the claim of 25% increase in seats?

2. What is the rationale and basis for not taking into consideration the additional seats in individual subjects and individual government medical colleges (as affirmed in paragraph 13(ii) and paragraph 16 of the affidavit-in-reply)?

3. What consequences would have ensued if additional

seats in individual subjects and individual government medical colleges were taken into account. For example, the number of seats in open category or the prejudicial effect on the seats of other categories etc.?

4 Is there any decrease of 16 seats in open category (In paragraph 4 of the rejoinder) and 17 seats in clinical branch (Paragraph 3 (VI) of the petition)? If yes, what is the rationale and justification for the same?

6. The affidavit-in-reply, on the above aspects, shall be filed on or before 18<sup>th</sup> May, 2020, with advance copy to the petitioners.

7. The matter be listed on 19<sup>th</sup> May, 2020.

8. In the meanwhile, though selection process may proceed, it shall be subject to the outcome of the orders which may be passed in this petition.

9. Considering that the above matter has been heard via Video Conferencing due to the COVID -19 pandemic, it will not presently be possible to sign the copy of this order. In these circumstances, the order will be digitally signed by the Personal Secretary of this Court. All concerned will act on production of a digitally signed copy of this order sent by fax or email.

**[N. J. JAMADAR, J.]**