

**IN THE HIGH COURT OF MANIPUR
AT IMPHAL**

WP(C) No. 158 of 2025

Soibam Victor Dev & ors.

Vs.

Union of India & ors.

... Petitioners

... Respondents

**B E F O R E
HON'BLE MR. JUSTICE AHANTHEM BIMOL SINGH**

O R D E R

26-02-2025

Heard Mr. Kh. Tarunkumar, learned senior counsel assisted by Ms. Julekha Khan, learned counsel appearing for the petitioners; Mr. Kh. Samarjit, learned DSGI assisted by Mr. Y. Paikhomba, learned counsel appearing for the respondents No. 1 and 2 and Mr. Sukumar, learned GA appearing for the respondents No. 3 and 4.

The relief sought for by the writ petitioners in the present writ petition is for issuing a direction to the concerned authorities to take into consideration the proviso under Clause 9(2)(d) of the Post Graduate Medical Education (Amendment) Regulations, 2000 amended by the Post Graduate Medical Education (Amendment) Regulations, 2009 (Part II) wherein it has been provided that in determining the merit for PG admission weightage in the marks may be given as an incentives as per Proviso to Clause 9(2)(d) of the 2000 Regulations. The learned senior counsel appearing for the petitioners submitted that counselling for selection of candidate for admission to Post Graduate courses in the stray round in respect of RIMS and JNIMS is going to be resumed today and that an appropriate interim order be passed directing the authorities to take into account the aforesaid proviso under Clause 9(2)(d) of the Post Graduate Medical Education (Amendment) Regulations 2000 as amended by the Post-Graduate Medical Education (Amendment) Regulations, 2009 at the time of such counselling for evaluating the merit of the candidates.

Mr. Kh. Samarjit, learned DSGI appearing for the respondents No. 1 and 2 submitted that as per the instruction, the said provision is not applicable or adopted in respect of the candidates of some other North-Eastern States like Nagaland, Meghalaya, Tripura and Arunachal Pradesh and as such, the authorities have taken a conscious decision, as reflected at Clause (e) of the proceeding of the State Level Post Graduate Counselling Committee for the academic session 2024-2025 held on 03-02-2025 to select the eligible candidates, not to give such incentive marks at the time of stray round counselling. It has also been submitted by the learned DSGI that on his enquiry from the authorities as to how many candidates from outside the State have reported for the stray round counselling, he has verified that only two candidates from Arunachal Pradesh viz., Dr. Oyin Tasing and Dr. Tailyang Nime have reported for stray round counselling today upto 11:30 a.m. and except for the two candidates, no other candidates from the outside states have reported for the stray round counselling.

Mr. Kh. Tarunkumar, learned senior counsel furnished before this court a copy of the letter dated 15-11-2024 of the Commissioner (Health & Family Welfare), Government of Arunachal Pradesh addressed to the Dean of Academic, RIMS, forwarding application for undergoing PG course against the Arunachal Pradesh sponsored quota for the academic session 2024 and that in the said letter, it is clearly reflected that the said incentive marks are to be given to the said candidates. The learned senior counsel, accordingly, submitted that there will be no difficulty on the part of the authorities in giving the said incentive marks to the deserving candidates while assessing the merits of the candidates in the stray round counselling scheduled today.

Taking into consideration the submission advanced by the learned counsel appearing for the parties, the concerned authorities are directed to take into account the provisions of the proviso to the amended

Clause 9(2)(d) of the PG Medical Education (Amendment) Regulations, 2000 as amended by the PG Medical Education (Amendment) Regulations, 2009 while assessing the merit of the candidates in the ongoing stray round counselling.

Mr. Kh. Samarjit, learned DSGI pointed out that the stray round counselling scheduled today is an ongoing process and that already the first round had been held on 21-02-2025 and on the basis of the counselling, four candidates have already been selected and given admission and that the said four candidates may not be disturbed by the present order. At this stage, both the learned senior counsel appearing for the parties as well as the Government Advocate submitted that since no other issue remains to be decided, the present writ petition can be closed with the above directions.

In view of the submission made above, the present writ petition is hereby closed with the aforesaid directions. It is made clear that the present order will not be used as a precedent in deciding future cases as this order has been passed in view of the facts and circumstances of the case.

A copy of the order be furnished to both the senior counsel appearing for the parties through their WhatsApp/e-mail during the course of the day for doing the needful.

JUDGE

Devananda

**IN THE HIGH COURT OF MANIPUR
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MC(WP(C)) No. 153 of 2025

(*Ref:-* WP(C) No. 158 of 2025)

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... Applicants

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In view of the order passed today in the main writ petition,
the present application stands disposed of.

JUDGE

Devananda