

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

W.P.(C) No. 645 of 2025

Shri Konsam Surjamani Singh aged about 57 years old, S/o Konsam Krishnadas Singh, a resident of Sagolband Khamnam Leirak, P.O. & P.S. Imphal, Imphal West District, Manipur – 795001.

... Petitioner

- Versus -

1. The State of Manipur represented by the Commissioner, (Health & Family Welfare), Government of Manipur, Secretariat Block, Babupara, Imphal, P.O. & P.S. Imphal, Babupara, Manipur – 795001.

2. The Director of Health Services, Manipur having its office at Directorate of Health Services, Lamphelpat, P.O. & P.S. Lamphel, Imphal West District, Manipur – 795004.

3. The Convenor, State NEET Counselling Committee having its office at Directorate of Health Services, Lamphelpat, P.O. & P.S. Lamphel, Imphal West District, Manipur – 795004.

... Respondents

B E F O R E
HON'BLE MR. JUSTICE A. GUNESHWAR SHARMA

ORDER

18.09.2025

[1] Heard Mr. N. Jotendro, learned senior counsel assisted by Mr. Syed Murtaza, learned counsel for the petitioner, Mr. Th. Sukumar, learned GA for the State Respondents.

[2] The petitioner who is the father of a candidate selected in the NEET (UG), 2025, approached this Court for challenging The Manipur MBBS/BDS/BASLP (Selection of Candidates for Nomination) Rules, 2021 on the ground that after the commencement of the examination, the rule

has been changed subsequently and for ensuring fair allotment of seat in the second round of counselling for MBBS. In the first round of counselling, the petitioner's son has been allotted a seat in the Churachandpur Medical Seat, CMC-MBBS-037 at Sl. No. 117.

[3] It is the case of the petitioner that less meritorious candidates have been given seats in the RIMS and JNIMS thereby affecting the fair chance of allotment of seat of his son in those colleges.

[4] On the other hand, Mr. Th. Sukumar, learned GA submits that the amendment in the rules was incorporated in pursuance of the Hon'ble Supreme Court's Judgment dated 11.01.2018 passed by the Hon'ble Supreme Court in Tripurari Sharan And Anr. Vs. Ranjit Kumar Yadav reported in AIR 2018 SC 366 and it is also pointed out that for the last 3(three) years, the same process has been adopted as per the direction of the Hon'ble Supreme Court in the above case. The present amendment has been made in order to incorporate order of the Hon'ble Supreme Court issued in the year, 2018 and as such, cannot be said that the rule is changed midway and only the direction is brought in place in the relevant rules.

[5] Mr. Th. Sukumar, learned GA for the State Respondents also pointed out that the judgment cited by the learned senior counsel for the petitioner regarding 4(four) judgments, i.e., K. Manjusree –vrs- State of Andra Pradesh, 2008 (3) SCC 512, P. Mahendran –vrs- State of Karnataka, 1990(1) SCC 411, Y.V. Rangaiah –vrs- J. Sreenivasa Rao, 1983 (3) SCC

284 & Tej Prakash Pathak & Ors. –vrs- Rajasthan High Court & Ors. 2024 Legal Eagle 984, would not be applicable in the fact of the present case. In those judgments, changes have been made in the recruitment rules after the process of recruitment has already been started. In the present case, there is no effective change in the rule as the direction of the Hon'ble Supreme Court for counselling for MBBS has been adopted for the last 3(three) years.

[6] At this stage, Mr. N. Jotendro, learned senior counsel for the petitioner submitted prayer (iv) is for consideration of the petitioner's son case sympathetically in the second round of counselling and the writ petition may be disposed of by giving liberty to the petitioner to make a fresh representation in respect to the consideration which comes in the second counselling.

[7] Mr. Th. Sukumar, learned GA for the State Respondents has submitted that this Court may pass appropriate orders with the restricted prayer made by the learned senior counsel for the petitioner.

[8] Recording the submissions at the bar, the writ petition is disposed of by giving liberty to the petitioner to submit a fresh representation for consideration of the case of his son in the second round of counselling.

[9] With this observation, the writ petition is disposed of.

[10] This Court has not expressed any opinion on the merit of the case.

[11] If the representation as sought for is submitted by tomorrow, the respondents may consider the same as per law and sympathetically keeping in view the fact of the case.

[12] Furnish a copy of this order to the learned counsels for the parties during the course of the day.

JUDGE

- Larson