

IN THE HIGH COURT OF JAMMU & KASHMIR AND
LADAKH
AT JAMMU

WP(C) No.3467/2025
CM No.7885/2025

Date of pronouncement : 10.12.2025
Uploaded on : 18.12.2025

Muskan Younus

....Petitioners

Through:- Mr. Dhiraj Chowdhary, Advocate

V/s

UT of J&K & Ors.

.....Respondents

Through:- Mrs. Monika Kohli, Sr. AAG

CORAM: HON'BLE MR. JUSTICE RAHUL BHARTI, JUDGE
JUDGMENT (ORAL)

1. Agony of a merit holder student aspiring for an admission in a professional college/institution but exposed to suffer denial and deprivation of admission should be short lived, more particularly when such a student is constrained to approach a constitutional court for the sake of salvaging his/her merit-earned position and prospect for admission in a professional college/institution.

2. With this preface, this Court is putting a disposal to the present writ petition preferred by the petitioner- Miss Muskan Younus, being an aspirant for MBBS

seat for the Government Medical College (G.M.C.),

Jammu under EWS (Economically Weaker Section) Category.

3. The petitioner- Miss Muskan Younus appeared in **NEET UG-2025** Examination as a Domicile of the UT of J&K with a category status belonging to Economically Weaker Section (EWS).
4. The respondent No-2-Jammu & Kashmir Board of Professional Entrance Examination (JKBoPEE) by virtue of its notification **No.143-BOPEE of 2025** dated **26.09.2025** issued a New Provisional Merit List **(NPML) of NEET-UG-2025** of candidates belonging to the UT of J&K/Ladakh for additional MBBS seats in Government/Pvt. Medical Colleges and inviting objections thereof. Accompanying this notification is **Annexure A** enlisting the candidates being in the consideration zone on the basis of NEET merit position.
5. The petitioner- Miss Muskan Younus with roll **No.2501101223** in the category of EWS with NEET rank **545706**, NEET score **266** and UT rank **4569**, is poised to earn admission in the Government Medical College (G.M.C.), Jammu, having one seat reserved for EWS candidate which is still not filled because of the respondent No.3-Mansha Iqbal Kelam, though higher in merit bearing roll **No.2501205401** under EWS category with NEET

rank **195960**, NEET score **407** and UT rank **2192** but having suffered the denial of issuance of EWS certificate by virtue of the order passed by the Tehsildar Kistwar, followed by an order dated **28.11.2024** passed by the appellate authority of the Deputy Commissioner, Kishtwar stating that the respondent No.3- Mansha Iqbal Kelam was actually not eligible for appearance in NEET under EWS category on account of the fact that Notification **No.076-BOPEE of 2025** dated **17.07.2025** in its Note clause (3) in clear terms provided that **“No under process certificates shall be entertained”** read with clause (4) **“The cut-off date for validity of the category certificates shall be the last date for Registration fixed by the BOPEE, viz, 22.07.2025”**. सत्यमेव जयते

6. Since by reference to the above stated two clauses obtaining in the “Note” in Notification **No.076-BOPEE of 2025** dated **17.07.2025**, the respondent No.3-Mansha Iqbal Kelam though having scored a higher rank and NEET score than the petitioner-Miss Muskan Younus but not having the valid category certificate at her disposal, therefore, the seat is not meant to be availed by her leaving it open for the petitioner-Miss Muskan Younus to earn it.

7. The issue is that the respondents in particular the respondent No.2-Jammu and Kashmir Board of Professional Entrance Examination (JKBoPEE) is not inviting and accommodating the petitioner-Miss Muskan Younus with the admission, as such, the petitioner- Miss Muskan Younus has been led to filing the present writ petition asking for the following reliefs:-

(A) An appropriate writ, order or direction more particularly a writ of mandamus thereby commanding and directing the official respondents to allot the MBBS seat under EWS category pursuant to NEET-UG-2025 in G.M.C., Jammu and allow her to join her studies:

(B) Or this Hon'ble court may issue any other writ, order or direction to which the petitioner is held entitled under the facts and circumstances of the case.

8. Considering the fact that time is of essence and that the admission period is soon coming to closure for the course study, as such, this writ petition is **disposed of** with a direction to the respondent No.2- Jammu and Kashmir Board of Professional Entrance Examination

(JKBoPEE) to consider the claim and entitlement of the petitioner-Miss Muskan Younus, in case if she is otherwise making out her own merit and claim, for MBBS seat under EWS category, being the next meritorious candidate entitled to the seat.

9. Needful consideration to be granted by respondent No.2- Jammu and Kashmir Board of Professional Entrance Examination (JKBoPEE) within a period of one week from the date of passing of this order.

10. ***Disposed of.***

JAMMU
10.12.2025
Sneha



(RAHUL BHARTI)
JUDGE

Whether the judgment is speaking: Yes/No

Whether the judgment is reportable: Yes/No