GAHC010176342026

undefined

THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/4457/2026

HAFIJA JANNAT
DAUGHTER OF ABDUL HASHEM ALI, RESIDENT OF VILL- DURAMARI, PO- SIMBARGAON, P.S- KOKRAJHAR, ASSAM

VERSUS

THE STATE OF ASSAM AND 2 ORS
TO BE REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVERNMENT OF ASSAM, MEDICAL EDUCATION RESEARCH DEPARTMENT, JANATA BHAWAN ASSAM SECRETARIAT COMPLEX, DISPUR, GUWAHATI- 781006

2:THE DIRECTOR OF MEDICAL EDUCATION
ASSAM
SIXMILE
KHANAPARA
GUWAHATI- 781022

3:THE DIRECTOR OF SAINIK WELFARE
ASSAM
RAJGARH ROAD
BIHUTOLI
ZOO TINIALI
GUWAHATI
ASSAM
PIN 78100

Advocate for the Petitioner : MR. A R BHUYAN, MR S ABDULLAH

Advocate for the Respondent : GA, ASSAM, SC, HEALTH

BEFORE
HONOURABLE MR. JUSTICE N. UNNI KRISHNAN NAIR

ORDER

Date : 18-08-2026

Heard Mr. A.R. Bhuyan, learned Sr. counsel assisted by Mr. S. Abdullah, learned counsel for the petitioner. Also heard Mr. D.P. Borah, learned standing counsel, Health Department, Assam. .

2. The petitioner, herein, had cleared the NEET-UG-2026 from Kota, Rajasthan. The petitioner further projects that her father is a serving Army personnel in the rank of 'Subedar' and accordingly, the petitioner is entitled to have her case considered against the quota reserved for Ex-Serviceman/ Serving Defence Personnel in the MBBS course.

3. The respondent authorities had issued an educational notice dated 10-08-2026, requiring the candidates claiming reservation against the quota mentioned, therein, to appear on the date and time so mentioned for verification of their documents off-line. It was further stipulated, therein, that in the event the candidate does not so physically appear before the respondent Board for document verification on the date and time so specified for each of the quota, their claim for a particular special quota would stand forfeited. The petitioner has further projected that on account of the fact that she resides in a remote and rural part of the State, where the availability of internet facilities, access to online facilities/ access to online information are limited and further on account of there being no electricity in the area w.e.f. 10-08-2026 to 13-08-2026 on account of heavy rain, the petitioner was not in a position to access the internet and/ or other means

of dissemination of information.

4. Accordingly, it is projected that the petitioner had missed the deadline as fixed vide the educational notice dated 10-08-2026, for appearing before the constituted Board for document verification on 12-08-2026 at 10:00 a.m., for staking her claim for being considered against the Ex-Serviceman/ Serving Defence Personnel quota. It is further projected by the petitioner that the name of the petitioner has, however, been included in the provisional Assam State Merit List for NEET-UG-2026 and she is placed at Sl. No. 3814, therein. It is projected that for the reasons as noticed, hereinabove, which were beyond her control, the petitioner had missed a chance to have her case considered for pursuing the MBBS course against the quota reserved for Ex-Serviceman/ Serving Defence Personnel in terms of the educational notice dated 10-08-2026.

5. Mr. A.R. Bhuyan, learned Sr. counsel appearing for the petitioner has reiterated the said projections made in the writ petition and has submitted the under similar circumstances a Coordinate Bench of this Court vide order dated 14-08-2026 passed in W.P.(C) No. 4399/2026 (***Akhirul Islam Vs. State of Assam & Anr.***) permitted the petitioner, therein, to file a detailed representation explaining his condition before the Director of Medical Education (DME) and the Director of Medical Education was directed to consider the said representation sympathetically and pass appropriate order(s), thereon. He submits that the petitioner, herein, being similarly situated, a similar direction be passed in respect of the petitioner, herein, also.

6. Mr. D.P. Borah, learned standing counsel, Health Department, Assam submits that the educational notice dated 10-08-2026, was complied with by the other claimants for

the quotas mentioned, therein, without any objection and the plea now taken by the petitioner in the matter would not mandate an acceptance from this Court. He submits that the verification of documents with respect to candidates claiming preference against the Ex-Serviceman/ Serving Defence Personnel was so conducted by also including in the Board the Members of the Sainik Board. He submits that it would not be permissible for the respondent authorities to again carryout such verification by also including the Sainik Board Members, when the exercise was already undertaken and list of candidates found suitable for being considered against the Ex-Serviceman/ Serving Defence Personnel quota was prepared and published.

7. I have heard the learned counsel for the parties and have also perused the materials available on record.

8. Considering the submission of the learned counsel for the parties and also on a perusal of the materials coming on record, this Court is of the considered view that the process with regard to admission into MBBS course is being carried out in a structured manner, any mandamus issued by this Court at this juncture for consideration of the claim of the petitioner, may have the effect of disrupting such procedure, which is being so followed by the respondent authorities. However, considering the grievance raised by the petitioner, this Court is of the view that it would be appropriate to permit the petitioner to file a detailed representation explaining her condition before the Director of Medical Education (DME), Assam, with a further prayer to facilitate verification of her documents for consideration of her case against the quota reserved for Ex-Serviceman/ Serving Defence Personnel.

9. Such representation is undertaken by the learned Sr. counsel for the petitioner, to be filed by 11:00 a.m. of 19-08-2026. In the event of filing such representation by 11:00 a.m. of 19-08-2026, the DME, Assam shall consider and dispose of the same sympathetically, by addressing the grievance of the petitioner raised, therein.

10. The petitioner is permitted to file the proper application physically before the DME, Assam and any such order that may be passed by the concerned authority be communicated to the writ petitioner through the e-mail address or contact number, which will be intimated by the petitioner to the DME authorities.

11. The directions passed by this Court, herein, to consider the representation of the petitioner, be so considered, so as to not cause prejudice to any other candidate already shortlisted against the quota claimed by the petitioner.

12. The Court Master of this Court to produce a true copy of this order to the learned counsel for the petitioner.

13. With the above observations and without expressing any opinion on the merits of the case, the writ petition stands disposed of.

JUDGE

Comparing Assistant