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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.10742 OF 2026

Dr. Pavan Dnyanoba Nirwal

...Petitioner

Versus

Union of India & Ors.

...Respondents

Ranit Basu, Ms. Harshada Nirmal, Ms. Aditi Sirasat, Ms. Sakshi Telavane and Anisha Pandey i/b. Bridgehead Law Partners for the Petitioner.

Smt. Vaishali Nimbalkar, AGP for the State.

Mr. S.S. Nargolkar i/b. Mr. S.R. Nargolkar for Respondent No.2.

Mr. Dhananjay B. Deshmukh with Mr. Snehil Rai for Respondent No.3.

CORAM : R.I. CHAGLA AND
FIRDOSH P. POONIWALLA, JJ.
DATE : 12TH OCTOBER, 2026.

ORDER:

1. Rule. Rule made returnable forthwith. Heard by consent of parties.

2. By this Writ Petition, the Petitioner is seeking directions to Respondent Nos.2 and 3 to process and confirm the Petitioner's admission to the Post Diploma DNB Course in Radio Diagnosis, pursuant to the allotment secured by the Petitioner through the

Second Round of Online Centralized Merit-Based Counseling conducted by Respondent No. 3. Further, the Respondent Nos.2 and 3 to accept the Certificate dated 5th August 2026, letter bearing reference No. Government Bond/2026/S.C. - 1 dated 5th August 2026 issued by Respondent No. 5 and No Objection Certificate ('NOC') bearing reference No. ME 0-3/2026/1475 dated 3rd August 2026 issued by Respondent No. 6, in lieu of the Petitioner's original educational documents retained by Respondent Nos. 5 and 6 pursuant to the mandatory Government Service Bond obligations. Further, the Respondent Nos. 2 and 3 to permit the Petitioner to join and pursue the aforesaid Post Diploma DNB Course without insisting upon physical production of the original documents for so long as the same continue to remain in the lawful custody of Respondent Nos. 5 and 6 and further restraining Respondent Nos. 2 and 3 from cancelling the Petitioner's allotment, forfeiting the fees deposited by the Petitioner, or taking any steps adverse to the Petitioner's admission and continuation in the said course.

3. The Petitioner completed his MBBS Course from Dr. Shankarrao Chavan Government Medical College, Nanded, in February 2017. The State Government Order bearing No.950/71-2-

82/2017 came to be issued on 7th March 2018 by the Directorate of Medical Education and Training, Uttar Pradesh governing compulsory Government Service Bond obligations and retention of original documents.

4. The Petitioner appeared for NEET - PG in the year 2023 and secured All India Rank (AIR) 7,399.

5. The Petitioner secured admission to the Diploma in Medical Radio Diagnosis (DMRD) Course at Maharani Laxmi Bai Medical College, Jhansi (Respondent No. 5) in August 2023.

6. The Petitioner successfully completed the DMRD Course and was awarded a provisional qualification certificate on 3rd December 2025.

7. Respondent No. 3 issued an Allotment Letter on 29th July 2026, whereby the Petitioner was provisionally allotted a seat in the Post Diploma DNB Course in Radio Diagnosis at Respondent No. 2.

8. Respondent No.6 issued an NOC on 3rd August 2026 permitting the Petitioner to pursue the Post Diploma DNB Course at Respondent No.2 whilst confirming that the Petitioner's original documents were retained pursuant to Government Service Bond.

9. Respondent No. 5 issued a Certificate and a letter dated 5th August 2026 confirming possession of the Petitioner's original documents.

10. The Petitioner reported to Respondent No.2 - Institute for admission on 5th August 2026, which was refused on the grounds of non-production of original documents. The Petitioner lodged a grievance before Respondent No.3 on 6th August 2026, which was then forwarded for appropriate action.

11. The Petitioner addressed an email on 7th August 2026 to Respondent No. 2 seeking reconsideration of his admission.

12. In view of the admission not being reconsidered, the present Writ Petition has been filed.

13. Mr. Ranit Basu, the learned Counsel for the Petitioner has referred to an Advisory dated 14th April 2022 bearing No. U-12-21/08/2021-MEC issued by Respondent No.1 whereby it was brought to the attention of all concerned that in the Post Graduate and Super Speciality Courses the serving of bonds is a matter decided by the Department of Medical Education ('DME') of the respective State for those candidates serving the bonds, and that the DME can issue a bonafide certificate that they are holding the original documents of the candidate so that the candidate may take admission into the allotted college.

14. Mr. Basu has submitted that the requirement in the Handbook for Centralized Merit-Based Counseling for Admission to Post Diploma DNB Courses 2026 Admission Session ("said Handbook") published by the Respondent No.3 is that the original documents are to be uploaded at the time of registration in the First Round of Counseling. These documents include an NOC or relieving order/study leave. The candidate serving bonds can on the basis of the said Advisory, instead of uploading the original documents which are not in his/her possession, submit a bonafide certificate of the DME to the effect that the DME is holding the original documents of

the candidate so that the candidate may take admission into the allotted college.

15. Mr. Basu has further submitted that Respondent No. 3 has, by its Allotment Letter dated 29th July 2026 issued to Respondent No.2 – Institute and the Petitioner, granted provisional admission to the Petitioner in the Respondent No.2 – Institute. It was mentioned therein that the Respondent No.2 - Institute, before allowing the Petitioner to join is to verify the original documents and after verification, the candidate may be allowed to join. The candidate's joining is to be informed by the Respondent No.2 – Institute to the Respondent No. 3 latest by 5th August 2026. The last date for the Petitioner to join the Respondent No. 2 – Institute is 5th August 2026.

16. Mr. Basu has submitted that it was on the last date viz. 5th August 2026 that the certificate as per the said Advisory was issued by the Respondent No.5 – Institute, certifying that the Petitioner had worked as a Junior Resident with the Respondent No.5 – Institute from 9th October, 2023 to 8th October, 2025 in the Department of Radio-Diagnosis and thereafter worked as a Senior

Resident in the Department of Radio-Diagnosis of the Respondent No. 5 – Institute from 10th December, 2025 to 27th June, 2026 under compulsory Government Service Bond. Further, the NOC, which is one of the requisite documents was also obtained by the Petitioner on 3rd August, 2026 by which Respondent No.6 permitted the Petitioner to pursue post-diploma DNB Course at the Respondent No. 2 - Institute, whilst confirming that the Petitioner's original documents were retained by the Respondent No.5 – Institute pursuant to the Government Service Bond.

17. Mr. Basu has submitted that the Respondent No.2-Institute has responded to the email of the Petitioner inquiring about the status of his admission and joining formalities vide their email communication on 11th August, 2026. In this response it was stated that no communication had been received from Respondent No.3 and that the Petitioner may communicate with Respondent No. 3 regarding the same. He has submitted that accordingly the Respondent No.2 – Institute had left it to the Respondent No.3 to confirm the admission of the Petitioner.

18. Mr. Basu has submitted that the Respondent No.3 ought

to have confirmed the admission and allowed the Petitioner to join the Respondent No.2 – Institute by acting upon the Advisory of Respondent No.1. This is in view of the Petitioner's inability to upload original documents during the time of registration in the First Round of Counseling, as they were in possession of the Respondent No.5 – Institute pursuant to the Petitioner undergoing the compulsory Government Service Bond and the same has been duly certified by the Respondent No.5 – Institute as per the said Advisory. He has accordingly sought for the prayers in the Writ Petition to be granted.

19. Mr. S.S. Nargolkar, the learned Counsel appearing for Respondent No. 2 – Institute has referred to a document relied upon by the Petitioner submitted to them, which upon verification was found not to be under the letterhead of the Respondent No.5 – Institute, though issued by them. Further, the NOC was also not issued under the letterhead of Respondent No.6. He has submitted that it is due to this reason that the Petitioner has not been granted admission.

20. Mr. Dhananjay B. Deshmukh, the learned Counsel appearing for the Respondent No.3 has submitted that the

application window opened for appearing for DNB-PDCET 2026 on 17th February, 2026. The Respondent No. 3 conducted the DNB PDCET for 2026 admission on 12th April, 2026 for which the Petitioner appeared. The result of DNB – PDCET was declared on 12th May 2026. The Respondent No.3 notified the schedule for Counselling on 22nd June 2026. However, the Petitioner only applied for NOC on 29th June, 2026, which was one of the requisite documents to be uploaded at the time of registration in the First Round of Counseling, viz from 2nd to 6th July, 2026 as per the said Handbook. He has submitted that the Petitioner was well aware of schedule notified by Respondent No. 3 for counseling. He has submitted that the fault lies with the Petitioner in not applying in advance for the said NOC, despite knowing that the NOC takes time to be issued.

21. Mr. Deshmukh has submitted that the Petitioner received the NOC only on 3rd August, 2026, well beyond the cutoff date i.e. registration for counselling from 2nd July, 2026 to 6th July, 2026. Accordingly the Petitioner was ineligible for admission to the Respondent No.2 – Institute.

22. Mr. Deshmukh has submitted that due to the Petitioner having failed to adhere to the mandatory conditions of uploading the prescribed documents, Respondent No.3 issued Show Cause Notice.

23. Mr. Deshmukh has submitted that the Petitioner in response to this Show Cause Notice, accepted that he had applied for an NOC only on 29th June 2026. Thus, the Petitioner not having the requisite NOC and failing to upload the same at the time of registration has failed to comply with the requirements under the said Handbook for the Post DNB Course, in particular clause 5(j) of the said Handbook.

24. Mr. Deshmukh has submitted that the Petitioner having failed to produce original documents for verification for securing admission, as per Clause 3.24 of the said Handbook, cannot be admitted to the Respondent No.2 – Institute. This is inspite of the Petitioner having been allotted the seat in the Second Round in the Respondent No.2 – Institute on 29 July 2026. However, this was subject to fulfilling the eligibility criteria.

25. Mr. Deshmukh has therefore submitted that the

Petitioner's failure to adhere to mandatory conditions of uploading prescribed documents, producing original documents, and failing to get the relieving letter to join the Respondent No.2 - Institute, disqualifies the Petitioner from being granted the admission.

26. Having considered the submissions, it is pertinent to note that though under the Schedule of Counselling for First Round provided in the Handbook for Centralized Merit-based Counseling for Admission to Post-Diploma DNB Courses 2026 Admission Session ("said Handbook"), the candidate is required to upload the original documents at the time of Registration i.e. between 2nd to 6th July 2026, in the Advisory issued by the Respondent No.1 - Government of India, Directorate General of Health Services, those candidates serving compulsory Government Service Bonds, can be issued a bondfide certificate by the Directorate of Medical Education ("DME") that they are holding the original documents of the candidate so that the candidate may take admission in the allotted college.

27. In the present case, the Petitioner had been issued the certificate from the Respondent No.5 – Institute at which they underwent the compulsory bond service. The said certificate was

issued on the revised cutoff date as provided by the Respondent No.3 vide the Allotment Letter dated 29th July 2026. By the said Allotment Letter, the Petitioner was provisionally allotted a seat in the Post-Diploma DNB Course in Radio Diagnosis at Respondent No.2 – Institute. It was provided therein that the original documents of the Petitioner may be submitted before joining the Respondent No.2 - Institute, for which last date of joining is 5th August 2026. The Respondent No.2 – Institute was to verify the original documents submitted by the Petitioner, and after verification, they could allow the Petitioner to join. The Petitioner's joining had to be informed to Respondent No.3 latest by 5th August 2026 on the counseling website.

28. Thus, by virtue of issuing the said Allotment Letter on 29th July 2026, the requirement in the said Handbook which prescribed the cut off date for submission of original documents viz. at the time of registration in the First Round of Counseling appears to have been revised in accordance with the said Advisory. Further, the provision for submission of NOC, while participating in the counseling after allotment of a seat, as expressly provided in the said Handbook, has been met by the Petitioner in that the NOC has been

issued to the Petitioner on 3rd August 2026 by the Respondent No.6 - DME, which is also before the revised cutoff date of 5th August 2026.

29. The contention on behalf of Respondent No.3 that the Petitioner had only applied for NOC on 29th June 2026, knowing fully well that the NOC takes time is in our view misconceived. The Petitioner having been granted and submitted the NOC prior to the revised cutoff date of 5th August 2026 has met the requirements of the Allotment Letter.

30. The further contention on behalf of Respondent No.3 that the mandatory conditions of uploading the prescribed documents as per the said Handbook, have not been adhered to by the Petitioner is also in our view, misconceived. The Petitioner has, prior to the revised cutoff date, met the requirement of the Respondent No.3, and would in our view, be eligible for admission to the Post-Diploma DNB Course at Respondent No.2 – Institute.

31. The submission of the Respondent No.2- Institute that certain of the documents do not contain the letterhead of the addressees, is insufficient to deny the Petitioner's admission,

particularly in view of the email communication dated 11th August 2026 addressed by the Respondent No.2 – Institute to the Petitioner that the Petitioner is required to communicate with Respondent No.3 as to status of admission of the Petitioner in the Respondent No.2 - Institute, as well as the joining formalities.

32. Accordingly, we allow the present Writ Petition and pass the following order.

i. The Respondent Nos.2 and 3 are directed to process and confirm the Petitioner's admission to the Post-Diploma DNB Course in Radio Diagnosis pursuant to the allotment secured by the Petitioner through the Second Round of Online Centralized Merit-based Counseling conducted by Respondent No.3.

ii. The Respondent Nos.2 and 3 shall accept the certificate dated 5th August 2026 issued by Respondent No.5 and NOC dated 3rd August 2026 issued by Respondent No.6, in lieu of the Petitioner's original education documents retained by Respondent Nos.5 and 6,

pursuant to the mandatory Government Service Bond application.

iii. The Respondent Nos.2 and 3 shall permit the Petitioner to join and pursue the Post-Diploma DNB Course without insisting upon physical production of original documents so long as they remain in the lawful custody of Respondent Nos.5 and 6. Consequently, Respondent Nos. 2 and 3 shall not cancel the Petitioner's allotment and/or forfeit fees deposited by the Petitioner or take any steps adverse to the Petitioner's admission and continuation in the said Course.

iv. The Writ Petition is accordingly disposed of in these terms. However, there shall be no order as to costs.

[FIRDOSH P. POONIWALLA, J.]

[R.I. CHAGLA J.]