



\$~1

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

CNR No. DLHC010046472026

+ **W.P.(C) 1754/2026 & CM APPL. 8548/2026**

SUNNY KUMAR SAH

....Petitioner

Through: Mr. Sushant Singh, Mr. Vishant
Sharma, Mr. Vikram Vijay Pratap Singh, Mr. Sahil
Barhate, Advs.

versus

ALL INDIA INSITUTE OF MEDICAL SCIENCES Respondent

Through: Mr. Anand Varma, Mr. Ayush Gupta
Advs

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

%

20.08.2026

1. This is a writ petition filed under Article 226 of the Constitution of India seeking the following prayers:-

“A. Quash and set aside the Memoranda dated 18.07.2025, 01.08.2025, 14.10.2025, 03.11.2025, and minutes dated 16.01.2026, whereby the Petitioner’s name was struck off the rolls, and his representations were rejected;

B. Direct the Respondent to permit the Petitioner to continue his studies with the 2025 Batch, MBBS Programme, or, as otherwise, at the earliest;

C. Direct the Respondent to treat the Petitioner at par with other students (as more specifically mentioned in the Petition) who have been dealt with on sympathetic grounds. ...”

2. Mr. Singh, learned counsel for the petitioner, draws my attention to



the Academic Section Rules and Procedure, 2021 where the rule for mercy chance reads as under:-

“Rule for mercy chance:

One mercy chance shall be given in all MBBS professional examination only under exceptional circumstances like medical problem, psychological problem or overwhelming family problems. This mercy chance will be given on recommendation of HOD of the concerned discipline (who will give detailed background of the candidate including his overall performance throughout the year, attendance and the reasons for mercy chance), forwarded by the Dean, recommended by the Director and final ratification by the President, AIIMS. No further appeals will be entertained under any circumstances by President, AIIMS.

(Authority: Academic Committee AC/112/3:30/12/2014; Governing Body 13/04/2015)”

3. It seems that the case of the petitioner though has been considered by the respondent, the same has not been so done as per this rule.
4. It is directed that the respondent shall take a view regarding the case of the petitioner in terms of the rule of mercy chance and if the petitioner meets the parameters of the said rule, he may be considered eligible.
5. For the said reasons, it is directed that the petitioner shall submit a fresh representation with the respondent within 2 weeks from today and the same shall be considered by the respondent sympathetically and in terms of the rule of mercy chance within 4 weeks thereafter.



6. The request for attending classes made by the petitioner has been rejected.
7. The Court has not expressed any opinion on the merits/ demerits of the petitioner's eligibility.
8. The writ petition is disposed of in aforesaid terms.

JASMEET SINGH, J

AUGUST 20, 2026/AS