

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****WRIT PETITION NO. 7055 OF 2015**

Miss Naurin Mohammed Rafik Nerli

....Petitioner.

Vs.

Union Territory of Dadra & Nagar
Haveli & Ors.

....Respondents.

Ms. Anjali Neel Helekar for the Petitioner.

Mr. Shrishailya S. Deshmukh for Respondent Nos. 1 and 2.

Mr. Y.R. Mishra a/w D.A. Dube for Respondent No.3.

**CORAM : ANOOP V. MOHTA AND
A.A. SAYED, JJ.**

DATE : 15 SEPTEMBER 2015.

ORDER:-

Rule. Rule is made returnable forthwith.

Heard finally, by consent of the parties.

2 The Petitioner, by this Petition, filed on 16 July 2015, has prayed for the admission as per notification dated 5 February 2014 based upon the GUJCET-2015. Pursuant to the order/directions issued by the Supreme Court and even otherwise, the Respondents are under obligation to apply to the Central Examination Process

including for seats reserved for NGOI, based upon the minimum marks in All India National Eligibility-cum-Entrance Test for admission to the MBBS Course as provided in the MCI Regulations and they are also under obligation to grant admission on merits, after calling upon the applications through advertisement in the newspapers.

3 In the present case, admittedly the Petitioner was aware of the procedure and the examination of All India Pre-Medical Examination (AIPMT) for allotment of Central Pool Reserved Seats for Medical and Dental courses. Therefore, there was no question of relying on and/or claiming any reliefs based upon the Gujarat Common Entrance Test (GUJCET) for the same. Strikingly, the Petitioner, along with others, on 16 December 2014, made representation to the Respondent-Administrator knowing fully the AIPMT Examination criteria for getting the admission in question. The statement is made that the Petitioner did appear in the examination, but unable to procure the requisite marks. Therefore, the Petitioner was aware about the procedure and the advertisement and the requisite minimum marks, which are required to get the admission to the MBBS Course for the year 2015-16 and the

procedure so declared.

4 Therefore, we see no case is made out by the Petitioner to
grant the reliefs so prayed for in the Petition. We therefore, decline
to entertain the Petition. However, it is open for the Petitioner to
make representation to the Respondents for considering her case. The
concerned Respondents to deal with the said representation in
accordance with law, as early as possible.

5 Writ Petition is dismissed.

6 Rule discharged accordingly. There shall be no order as to
costs.

(A.A. SAYED, J.)

(ANOOP V. MOHTA, J.)

CERTIFICATE

Certified to be true and correct copy of the Original signed
Judgment/Order.