

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 2464 of 2016**

- Ku. Savi Shukla D/o Shri Subodh Shukla Aged About 22 Years R/o Near Adinath Parisar, Ganganagar, Phase I I, Mangla, Bilaspur Tahsil & Distirct Bilaspur Chhattisgarh

---- Petitioner**Versus**

1. Union Of India Through Secretary, Ministry Of Health & Family Welfare Nirman Bhawan New Delhi
2. Director General M.E. Director General Of Health & Family Welfare Government Of India, Nirman Bhawan New Delhi,
3. State Of Chhattisgarh Through The Secretary, Department Of Health And Family Welfare Mantralaya Mahandi Bhawan, Naya Raipur Chhattisgarh
4. Director Medical Education, Directorate Of Medical Education Government Of Chhattisgarh Raipur Chhattisgarh
5. Medical Counseling Committee(M.C.C.) Directorate General Of Health & Family Welfare, Government Of India, Nirman Bhawan New Delhi,

---- Respondents

For Petitioner	:	Shri Sushil Dubey, Advocate
For Respondents/Union of India	:	Shri RK Kesharwani, Advocate
For Respondents/State	:	Shri AS Kachwaha, Addl. AG for the State

Hon'ble Shri Justice Prashant Kumar Mishra
Hon'ble Shri Justice Anil Kumar Shukla

Order On Board**07/11/2016**

1. Petitioner appeared in the National Eligibility-cum-Entrance Test, NEET (UG)- 2016, conducted by the Central Board of Secondary Education, Delhi on 24.07.2016 and secured all india ranking of 13625, however, instead of considering the petitioner for admission in the medical colleges situated within the State of Chhattisgarh in accordance with her merit position in the

NEET, the respondents proceeded to fill up the seats through State Pre-Medical Test.

2. In the above circumstances, the petitioner has filed this petition for the following reliefs:-

“10.1 It is prayed that this Hon'ble Court may kindly be pleased to call for the entire records pertaining to issuance of impugned order of transfer of the petitioner for its kind perusal.

10.2 That, this Hon'ble Court may kindly be pleased to issue an appropriate writ directing the State authorities to comply with the directions issued in the order dated 28.09.2015 passed by the Hon'ble Supreme Court in WP (Civil) No.629/2015 (Annexure P/3).

10.3 That, this Hon'ble Court may kindly be pleased to issue an appropriate writ of mandamus to respondent No.1 & 2 to issue State merit list of eligible candidates of NEET 2016 and to fill up the seat by only eligible candidates of NEET.

10.4 That, this Hon'ble court may further kindly be pleased to issue an appropriate writ directing the respondent No.4 to conduct as many counselling as possible to fill up the seats earmarked under the All India Quota before the last date fixed for completion of the admissible process, in the interest of justice.

10.5 That, this Hon'ble Court may further kindly be pleased to issue an appropriate writ commanding the respondents to act strictly in accordance with directions as contained in the order of Hon'ble Supreme Court.

10.6 Any other relief/reliefs, which this Hon'ble Court may think fit and proper in the facts and circumstances of the case, with cost of the petition, may also please be granted to the petitioner.”

3. Admittedly, the Supreme Court has laid down the time schedule in the matter of ***Mridul Dhar (Minor) & anr. Vs. Union of India & Ors. {(2005) 2 SCC 65}***, for completing the admission process for admission in the MBBS

and Post Graduate Medical Courses. As per the schedule, the last date for admission in the MBBS Course is 30th September, 2016 for the concerned year. In the previous year, the time was extended by the Supreme Court for a week i.e. up to 7th October, 2015 by its order dated 28.09.2015 in the matter of ***Kritika Nigam (Minor) Through Legal Guardian Vs. Union of India & Another (WP(Civil) 629/2015)***. It is informed that since large number of seats remained vacant through out the country, application was again moved before the Supreme Court for extension of time, however, as informed by learned counsel for the parties, the said prayer has been rejected by the Supreme Court.

4. In view of the above, since the last date for admission have already been closed for the year 2016, the present writ application has been rendered infructuous. It is accordingly, disposed of.

Sd/-

Judge
Prashant Kumar Mishra

Sd/-

Judge
Anil Kumar Shukla

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