

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

WRIT PETITION NO. 4707 OF 2017

(Faique Ali Mohd. Obaish Ali ..vs.. The State of Maharashtra, Department of Medical Education,
Mumbai and others)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri P.B. Patil, Advocate for the petitioner,
Shri A.S. Fulzele, Acting GP for the respondent Nos.1 to 3.

**CORAM : B.P. DHARMADHIKARI AND
ROHIT B. DEO, JJ.**

DATED : 21-07-2017

The petitioner whose father has been transferred and posted in State of Maharashtra cleared 10th Standard examination from an institution in State of Maharashtra but of a Central Board. Thereafter he went to his native place and cleared 12th Standard examination conducted by the C.B.S.E. Board in 2013.

He now wants to compete in State quota in Maharashtra. For that purpose amendment made to NEET Rules in 2017 has been challenged. Learned Advocate Shri P.B. Patil submits that till 2017, Rules envisaged person like father of petitioner transferred and posted in State of Maharashtra. Now word "posted" has been deleted and as such the petitioner has been rendered ill-eligible. Contention is, this change in norms at the eleventh hour is unsustainable.

Learned Assistant Government Pleader has taken us through the relevant paragraph of the petition to urge that there is no plea and no event to attract estoppel. Lastly, it is pointed that though words 'transferred' and 'posted' were there, there is no material change in interpretation of Rule 4.8.1 of NEET UG-2017 as the words “as on last date of document verification” and that need still exists.

We have heard respective Counsel. We find that deletion of word “posted” does not change the scheme of Rule 4.8.1 of NEET UG-2017 in any way. Moreover, the petitioner passed 10th Standard from State of Maharashtra in 2011 and thereafter has passed 12th Standard from Bihar in 2013. He is seeking admission in State quota almost after four years. No case is, therefore, made out for warranting interference. The petition is dismissed. No costs.

JUDGE

JUDGE

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