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

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W.P.(C) 6348/2017

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Date of decision : 18th December, 2017

ANAND RAI

..... Petitioner

Through : Mr. Aditya Bakshi and
Mr. Nand Sagar, Advs.

versus

UNION OF INDIA & ORS

..... Respondents

Through : Mr. V.S.R. Kirshna and
Mr. Subodh Kr. Kaushik, Advs.
for R-2/AIIMS, New Delhi
Mr. Ankit Khera and
Mr. Binay Kr. Pandey, Advs.
for R-6/AIIMS, Patna
Mrs. Biji Rajesh for
Mr. Gaurang Kanth, Adv. for
R-8/AIIMS, Rishikesh
Ms. Rajdipa Behura, SPP-
CBI/respondent no.9 with
Ms. Kriti Handa, Ms. Hansika
Sahoo and Mr. Vignaraj
Pasayat, Advs.

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MR. JUSTICE C.HARI SHANKAR

JUDGMENT (ORAL)

GITA MITTAL, ACTING CHIEF JUSTICE

1. This writ petition *inter alia* prays for directions to the

respondents to investigate into the alleged irregularities and illegalities in the conduct of the AIIMS Entrance Examination for admission to the MBBS Course-2017. So far as the prayer for a direction to the respondent no.2-AIIMS to conduct a fresh entrance examination for admission to the MBBS Course if the entrance examination was found vitiated is concerned, such prayer cannot be granted given the timeline for commencement of the MBBS Course.

2. Perusal of the status report dated 23rd October, 2017 filed on behalf of the respondent no.9-CBI would show that it has registered a case being RC221/2107/E0011 on 13th June, 2017. Steps taken during the pending investigation have been set out. The report clearly states that investigation of the case is under progress.

3. So far as the entrance examination is concerned, the All India Institute of Medical Sciences-respondent no.2 has filed a counter affidavit disclosing that the report of the inquiry committee constituted by the respondent no.2 discloses that there was an attempt to cheat in the examination by only one candidate and no material was found to prove that the entire examination was vitiated.

4. As far as the second prayer of the petitioner to quash the results as declared on 15th June, 2017 for the Entrance Examination held on 28th May, 2017 is concerned, in view of the above discussion the same cannot be granted.

5. Given the fact that the CBI is investigating in the matter, we are of the view that this writ petition does not need to detain this court any

further. The CBI shall investigate into this matter and complete its investigation.

This writ petition is accordingly disposed of.

Dasti to parties.

ACTING CHIEF JUSTICE

C.HARI SHANKAR, J

DECEMBER 18, 2017/kr

