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

+ W.P.(C) 7342/2017

ABDUS SAMI MUNSHI

..... Petitioner

Through: Mr Pradeep Kumar Arya and Mr Raj
Karan Sharma, Advocates.

versus

UNIION OF INDIA AND ANR

..... Respondents

Through: Mr Jasmeet Singh, CGSC.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **31.08.2017**

1. The petitioner has filed the present petition, *inter alia*, praying that respondents be directed to consider and admit the petitioner as an NRI Candidate for admission in MBBS in pursuance to National Eligibility cum Entrance Test (NEET) Examination conducted for the year 2017-18 in the Central List for Deemed Universities.
2. The petitioner had completed his Senior School Certificate Examination, 2016 from Al-Falah International DPS Jeddah, Saudi Arabia. The petitioner's father is a resident of the State of Madhya Pradesh and his mother is a Non-resident Indian as she had spent more than 180 days in the last financial year (FY 2016-17) in Saudi Arabia.
3. The petitioner had applied under the NEET as a resident candidate and not as a Non-resident Indian and thus could not, in normal circumstances be considered in the NRI category; however, the respondent had issued a notification dated 21.07.2017 informing all NRI candidates

who had registered under UR/Indian Category at the time of registration for under Graduate MBBS/BDS seats and were eligible to be considered under NRI quota, to send their relevant documents supporting their NRI status by 25.07.2017 at 11.00 am, for being considered under the NRI category.

4. Concededly, the petitioner did not send any of the application or documents pursuant to the aforesaid notification. It is the petitioner's case that he had made such request prior to 21.07.2017 and also after 25.07.2017, which ought to have been considered.

5. Mr Jasmeet Singh, learned counsel for the respondent states that all unfilled seats have been released to the deemed universities and the only assistance that can be granted to the petitioner is that his name can be included in the waiting list as an NRI candidate for onward transmission to deemed universities. This would enable the petitioner to approach the said universities directly. The learned counsel for the petitioner states, on instructions, that this is acceptable to the petitioner. It is ordered accordingly.

6. The petition is disposed of with the aforesaid directions.

7. Order *dasti* under the Signature of Court Master.

AUGUST 31, 2017
RK

VIBHU BAKHRU, J