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

+ **W.P.(C) 10329/2017**

LAKSHMI RAMACHANDRAN

..... Petitioner

Through: Ms Bina Madhavan, Mr Mrityunjai
Singh, Mr Prteek Dhir and Ms Swati
Bhrdwaj, Advs

versus

UNION OF INDIA & ANR

..... Respondents

Through: Mr Ripu Daman Bharadwaj and
Mr T.P. Singh, Adv for UOI
Mr R.K. Gupta and Mr A.K. Singh,
Adv for AIIMS

CORAM:

HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

% **20.11.2017**

CM No. 42113/2017

1 Exemption is allowed subject to all just exceptions.

2 Application disposed of.

W.P.(C) 10329/2017 and CM No. 42112/2017

3 Petitioner is a final year student of Government T.D. Medical College, Alappuzha, Kerela. She is pursuing M.D. Anesthesiology (Post Graduation). The said college is affiliated to the Kerala University of Health Sciences, which is the affiliating University for

all Medical Colleges in the State of Kerala.

4 On 20.09.2017, the petitioner applied for the D.M. Critical Care Medicine Course which is the Super Speciality course of respondent No. 2 (All India Institute of Medical Sciences).

5 Vide notification of the Kerala University dated 30.10.2017 the final theory qualifying examination for M.D. Anesthesiology has been fixed for 20.11.2017, 22.11.2017, 24.11.2017 and 27.11.2017.

6 The petitioner along with 12 other candidates has qualified the first round of the entrance examination i.e., Stage I entrance examination for DM/MCh/MD Hospital Administration Course which was scheduled on 05.11.2017. The petitioner having qualified the said examination has now to participate in Stage II of the said Departmental Clinical/Practical/Lab based Assessment which is now scheduled to be conducted by respondent No. 2 on 22.11.2017 from 9 am onwards.

7 The limited prayer in the present writ petition is that since the Post Graduate Examination of MD. Anaesthesiology is fixed by the Kerala University for 22.11.2017 it may not be possible for the petitioner to physically appear before respondent No. 2 on 22.11.2017 for the Stage II Departmental Clinical/Practical/Lab based Assessment. Submission being that the other 12 candidates may appear for the internal assessment but the case of the petitioner may be segregated and she may be permitted to appear on the subsequent date if possible i.e.on 23.11.2017.

8 On advance notice, learned counsel for the respondent has put in appearance. The factual narration as given above is not in dispute.

9 It is also not in dispute that the petitioner necessarily has to qualify for Post Graduate M.D. Anaesthesiology before she can be granted admission at respondent No. 2 for her DM Critical Care super speciality course. It is admitted that the petitioner has qualified Stage I. The assessment for Stage II having been fixed on a date (22.11.2017) which clashes with her examination which is also scheduled by the Kerala University on the same date; it would be expedient and in the fitness of things that the petitioner be permitted to appear for her internal assessment before respondent No. 2 on 23.11.2017 instead of 22.11.2017. She will accordingly appear before respondent No.2 at 10.30 am on 23.11.2017 for her Stage II internal assessment and the case of the petitioner will be considered on merit along with the other 12 candidates.

9 Petition disposed of in the above terms.

10 *Dasti* under signatures of the Court Master.

INDERMEET KAUR, J

NOVEMBER 20, 2017

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