

HON'BLE SRI JUSTICE U.DURGA PRASAD RAO
AND
HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI
W.P. No.17437 of 2018

ORDER: (Per Hon'ble Sri Justice U. Durga Prasad Rao)

The petitioner herein seeks Writ of *Mandamus* declaring the action of the respondents in not allowing the petitioner in the ongoing II Phase of online applications registration for KNRUHS NEET PG-2018 web counseling commencing from 08.05.2018 to 09.05.2018 for admission into P.G. Degree and Diploma seats in the category of unreserved 15% seats, in spite of the petitioner satisfying the eligibility as per clause 11(ii) and (iii) of the Presidential Order in G.O.P. No.646, dated 10.07.1979, as illegal, arbitrary and contrary to the common order dated 09.04.2018 in W.P.No.9829 of 2018 and batch passed by this Court and amounts to violation of Articles 14 & 16 of the Constitution of India and principles of natural justice and for a consequential direction to the respondents to permit the petitioner to participate in the ongoing II Phase of online applications registration for KNRUHS NEET PG-2018 web counseling commencing from 08.05.2018 to 09.05.2018 or any other date and for admission into P.G. Degree and Diploma courses in the category of unreserved 15% seats in terms of the Presidential Order in G.O.P. No.646, dated 10.07.1979.

- 2) Notice was taken on behalf of respondent No.2 University and also by respondent No.5-Union of India.
- 3) Heard learned counsel for the petitioner, Sri A.Prabhakar Rao, learned Standing Counsel for respondent Nos.2 & 3 and the learned Assistant Solicitor General appearing for respondent No.5.

4) Learned counsel for the petitioner would submit that the petitioner was born in Hyderabad and studied upto Intermediate in Hyderabad and thereafter studied M.B.B.S in Kasturba Medical College, Manipal and in view of it, he fulfilled the clauses (ii) and (iii) of Paragraph 11 of G.O.P. No.646, dated 10.07.1979 and requested to consider his case. It is brought to the notice of this Court that the matter is covered by a Division Bench judgment of this Court in Writ Petition No.9829 of 2018 and batch dated 09.04.2018 wherein respondent Nos.2 & 3 are one of the parties therein.

5) Learned Standing Counsel for respondent No.2-University would fairly admit that the case on hand is covered by the aforesaid judgment.

6) In that view of the matter, the Writ Petition is disposed of directing the 2nd respondent-University to consider petitioner's case for admission into Postgraduate medical seat under the 15% unreserved category, provided he satisfies the requirements of Para-11 of G.O.P. No.646, dated 10.07.1979.

As a sequel, miscellaneous petitions if any pending in this Writ Petition, shall stand closed.

U.DURGA PRASAD RAO, J

ABHINAND KUMAR SHAVILI, J

08.05.2018

Note: Issue C.C. today
(b/o)
MVA