

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF
ANDHRA PRADESH**

**THE HON'BLE SRI JUSTICE V.RAMASUBRAMANIAN
AND
THE HON'BLE MS.JUSTICE J. UMA DEVI**

WRIT PETITION No.32108 of 2018

Date:07.09.2018

Between:

Gorige Haritha D/o.G.Kumar,
R/o.Ganesh Nagar, Quthbullapur, Hyderabad.

... Petitioner

v.
The State of Andhra Pradesh,
Rep.by Principal Secretary, Medical, Health and Family
Welfare Department, Secretariat, Velagapudi,
Guntur District and others.

... Respondents

For Petitioners : Sri P. Bhaskar

For Respondents : Sri Taddi Nageswara Rao

Gist : मृत्यमेव जयते

Head Note :

Cases Referred :

C/15

HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN

AND

THE HON'BLE MS.JUSTICE J. UMA DEVI

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ORDER: *(per V. Ramasubramanian, J)*

The petitioner who was admitted to the undergraduate Medical Course under category-B has now come up with the above writ petition seeking a direction to consider her case for admission under the quota reserved for physically challenged persons.

2. Heard Mr. P.Bhaskar, learned counsel for the petitioner and Mr. T. Nageswar Rao, learned Standing Counsel for the respondents.

3. The petitioner has drawn inspiration from the recent decision of the Supreme Court dated 24.08.2018 in **Purwani Ashutosh (Minor) through Dr.Kamlesh Virumal Purwani v. Union of India** in W.P. (Civil) No.669/2018, wherein the Supreme Court held that the Graduate Medical Education Regulations as they exist today are to be followed in the matter of reservation for physically challenged persons and that the proposal made by the Medical Council of India which has not yet become a regulation, cannot be followed.

4. But, unfortunately the petitioner did not even make an application for admission under the quota for physically challenged persons. The last date for admissions was over by 31.08.2018. What the petitioner is seeking in fact is to allow her to slide down from Category – B seat to Category – A seat, by treating her as a physically challenged person. Such a prayer can be granted only if an

application had been made for admission under the quota for physically challenged and such application had been made before 31.08.2018. Both these conditions are not satisfied by the petitioner. Therefore, the relief sought for by the petitioner cannot be granted at this stage for the current academic year.

5. Therefore, the writ petition is dismissed. As a sequel thereto, miscellaneous petitions, if any, pending shall stand dismissed. No order as to costs.

V. RAMASUBRAMANIAN, J

J. UMA DEVI, J

September 07, 2018

KTL

