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

+ **W.P.(C) 3491/2018 & CM Nos.13765-13766/2018**

SHASHANK SHEKHAR

..... Petitioner

Through: Mr.Amit Shukla & Ms.Neha Shukla,
Advts.

versus

ALL INDIA INSTITUTE OF MEDICAL SCIENCES & ORS

..... Respondents

Through: Mr.K.P. Gautam, Adv. for R-1.
Mr.Ankit Khera with Mr.Binay Kr.
Pandey, Advts. for R-2.
Mr.T. Singhdev with Mr.Tarun
Verma, Ms.M. Biakthansangi,
Ms.Puja Sarkar & Ms.Amandeep
Kaur, Advts. for R-4.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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19.04.2018

Vide the present petition, the petitioner has sought quashing of order dated 07.10.2017 passed by respondent No.1-AIIMS, New Delhi whereby after noticing the fact that at the time of taking admission in AIIMS, Patna, the petitioner had not disclosed that he has earlier taken admission in IGIMS, Patna and had in fact not produced his original documents on the pretext that his original documents have been misplaced whereas it later transpired that the said documents were lying with the IGIMS, Patna where he had

earlier taken admission

Having heard learned counsel for the parties, I am not inclined to believe the plea taken by the petitioner that since he had not paid the complete fees, his admission was to be automatically treated as cancelled and under this *bona fide* belief, he did not disclose the aforesaid fact of his having earlier taken admission in IGIMS, Patna.

However, keeping in view the fact that the petitioner appears to be a meritorious student, who had, on the basis of his performance in the entrance exam been successful in obtaining admission in two medical colleges in two successive years, on 10th April, 2018, it had been put to learned counsel for the respondents as to whether the respondents were willing to take a compassionate view of the matter and not only withdraw the directions to register criminal complaint against the petitioner but also the action to debar him from taking all future examinations conducted by AIIMS, Delhi.

Today, Mr.Gautam, learned counsel for respondent No.1 has after taking the requisite instructions fairly submitted that keeping in view the peculiar facts of this case, the respondent No.1 has agreed to withdraw the direction to initiate criminal proceedings against him and the debarring order will be removed for the future meaning thereby that in case the petitioner applies for any future exam, his application will be considered on its own merit.

In view of the aforesaid fair stand taken by the respondents, the petitioner does not wish to press the present petition any further. It is agreed between the parties that the petitioner would approach the respondent No.1 with a copy of this order and upon receipt thereto,

respondent No.1 will issue a fresh order modifying its earlier impugned order in terms of the present order, to petitioner expeditiously and preferably within two weeks.

The petition along with the pending application, is dismissed as not pressed.

APRIL 19, 2018
gm/p

REKHA PALLI, J