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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 3949/2018

DR. NITISH GUPTA

..... Petitioner

Through Mr.Ravi Sikri, Sr.Adv with Mr.Ram
Naresh Yadav and Mr.Deepak, Advs.

versus

UNION OF INDIA AND ORS.

..... Respondent

Through Ms.Monika Arora with Mr.Kushal
Kumar, Advs for R-1.

Mr.T.Singdev with Mr.Tarun Verma, Advs for R-
4.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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21.05.2018

Learned senior counsel for the petitioner submits on instructions that the petitioner having been allotted a seat in M.D. Radio-Diagnosis in Dr. D.Y.Patil Medical College, Pune and the petitioner does not wish to pursue the present petition any further.

Mr.Sikri however submits that in view of the fact that the petitioner did not attend the Ist or IInd counselling as he was not being treated as NRI quota candidate, the respondent no.1 be directed to adjust the sum of Rs.2.75 lakh (Rs.2 lakhs + 75,000/-) deposited by the petitioner toward first counselling, towards the amount payable towards participation in the mop-up counselling in which the petitioner has been granted the aforesaid seat.

In my considered view, the aforesaid request made on behalf of the petitioner is just and fair, since it is the respondent no.1, which was at fault in not considering the petitioner as a NRI quota candidate in the Ist and IInd round of counselling. Accordingly, the writ petition

is dismissed as not pressed with a direction to the respondent no.1 to adjust the sum of Rs.2.75 lakhs paid by the petitioner towards the amount payable by him for participation in the mop-up counselling and the seat allotted to him therein.

Dasti under the signature of Court Master.

REKHA PALLI, J

MAY 21, 2018

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