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IN THE HIGH COURT OF DELHI AT NEW DELHI

Date of Decision: 10.09.2018

+ W.P.(C) 6546/2018 & CM APPL.24990/2018

RAKSHANDA SURANA

..... Petitioner

Through: Mr. Prafulla Kumar Behera with
Mr. Manish Kumar Bhardwaj, Advs.

versus

UNION OF INDIA & ORS

..... Respondents

Through: Mr. Sanjeev Sabharwal, Standing
Counsel with Mr. Hem Kumar, Advocate for UOI
Mr. Amit Bansal with Ms. Seema Dolo, Advs. for
R-2.

Mr. Sanjeev Bhandari, SPP along with Mr. Prateek
Kumar, Advocate for R-3

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE V. KAMESWAR RAO

RAJENDRA MENON, CHIEF JUSTICE (ORAL)

1. This petition has been filed in public interest seeking following prayers:

“(i) Issue writ of Mandamus or any other appropriate writ, order, direction quashing/cancelling NEET UG 2018 examination held on 06.05.2018 conducted by CBSE being unconstitutional violating the fundamental rights of the petitioner, meritorious candidates and citizens of India guaranteed under Article 14, 19 & 21 of the Constitution of India; and/or

(ii) Issue writ of Mandamus or any other appropriate writ,

order, direction to respondent No.2 CBSE to re-conduct fresh NEET UG 2018 examination for all candidates en-masse in fair, just and transparent manner; and/or

(iii) Issue writ of Mandamus or any other appropriate writ, order, direction to the respondents to do thorough, impartial pan India investigation in illegalities of NEET UG 2018 examination; and/or

(iv) Issue writ of Mandamus or any other appropriate writ, order, direction to handover the mechanism of conducting the NEET UG 2018 Examination to any other independent authority other than respondent No.2, CBSE; and/or

(v) Pass any other order or direction as this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case."

2. As far as the directions for cancelling the results and conducting the examination afresh are concerned, even at the time of issuance of notice on 04.06.2018 these prayers were rejected. The results have been declared and the students after declaration of the results are pursuing their career in accordance with law. That being so, we are not inclined to re-conduct fresh NEET UG 2018 examination in question.

3. As far as the investigation into the irregularity alleged and the investigation by independent agency is concerned, the Special Public Prosecutor, CBI, Shri Sanjeev Bhandhari has brought on record the status report on behalf of respondent No.2. The Central Bureau of Investigation which goes to show that an FIR in the matter being RC-DAI-2018-A-0017 dated 06.05.2018 has been registered and the investigation in the matter is in progress. Certain arrests have been made and after detailed investigation the final charge sheet would be filed in the matter.

4. We see no further reason of keeping the matter pending or making

further investigation.

5. With the above observations, the writ petition along with pending application is disposed of.

CHIEF JUSTICE

V. KAMESWAR RAO, J

SEPTEMBER 10, 2018/*ns*

