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

+ **W.P.(C) 7941/2018**

AYUSH SINGH

..... Petitioner

Through: Mr Ashish Kumar Upadhyay, Advocate.

versus

THE DIRECTOR, NEET
EXAMINATION & ORS.

..... Respondents

Through Mr Amit Bansal, Advocate for R1.

Ms Monika Arora, CGSC.

Mr T. Singhdev, Advocate for R3/MCI.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **17.08.2018**

1. The petitioner has filed the present petition, *inter alia*, praying as under:-

“Issue writ in the nature of mandamus or any other writ order or direction to the respondents to correct/Change the category of the petitioner from “UR” to “OBC” and give admission to the petitioner in his application no. 40227302 dated 10.2.2018.”

2. The petitioner passed the All India Seniors School Certificate Examination on 28.05.2017 (Central Board of Secondary Examination). The petitioner had applied for NEET examination on 10th February, 2018, (Registration No. 40227302).

3. The petitioner was also issued an admit card for undertaking the examination. A plain reading of the aforesaid application indicates that the petitioner has applied under the 'OBC' category. The Admit Card issued to the petitioner also indicated the petitioner's category as 'OBC'.
4. After the examinations but prior to the declaration of the results, the petitioner sought amendment of his category from 'OBC' to 'unreserved' ('UR'). The petitioner now claims that the said change was brought about erroneously. He has filed the present petition, in effect, for seeking the benefit of the OBC category.
5. It is important to note that the petitioner holds a certificate of 'OBC' and is, therefore, entitled to the benefits of the said category. As noticed above, the petitioner had also undertaken the examination as an OBC candidate. This Court finds no reason why he should be deprived to participate in the counselling session under that category.
6. Respondent No. 2 and 4 have filed an affidavit, *inter alia*, stating that the petitioner may be permitted to participate in DGHC mop up round against 'OBC' category for central universities, subject to orders of this Court. It is, thus, seen that there is no objection to the prayer sought by the petitioner.
7. The petition is accordingly allowed.
8. The petitioner would be treated as an OBC candidate and would be entitled to participate in the mop up round in question as an OBC candidate.
9. Order *dasti* under the signatures of the Court Master.

VIBHU BAKHRU, J

AUGUST 17, 2018/pkv