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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 10081/2018, C.M. APPL.39310/2018**
NEERAJ JANGIR Petitioner
Through : Dr. Jaigop Bangarva, Advocate.

versus

UNION OF INDIA AND ORS. Respondents
Through : Sh. T. Singhdev, Ms. Amandeep Kaur,
Sh. Tarun Verma, Ms. Puja Sarkar, Ms. Michelle
Biakthansangi Das and Sh. Abhijit Chakravarty,
Advocates, for MCI.
Sh. Dev. P. Bhardwaj, CGSC with Ms. Akanksha
Mishra, Advocate, for UOI.
Ms. Seema Dolo and Sh. Amit Bansal, Advocates,
for CBSE.

CORAM:
HON'BLE MR. JUSTICE S. RAVINDRA BHAT
HON'BLE MR. JUSTICE A. K. CHAWLA

% **ORDER**
25.09.2018

The petitioner seeks a direction that he ought to be admitted to the Jhalawar Medical College, Jhalawar, Rajasthan which was allotted to him in the second round of counselling in respect of all-India medical college seats. The petitioner belongs to the category of students who participated in the National Eligibility-cum-Entrance Test (UG) (NEET- 2018) but were not given final admission because in the CBSE exams, they had appeared in the additional subject (Biology) in the succeeding year after qualifying in the senior secondary examination. According to the Medical Council of India

(MCI) regulations, this class of students was ineligible for admission to medical courses. The judgment of this Court in *Tanishq Gangwar and Ors. v. Union of India and Ors.* [W.P.(C) 6773/2018, decided on 17.08.2018] had held that those who appeared in the NEET and qualified the entrance examination but were not granted final admission on account of their not having qualified in all the required subjects in one examination, but rather having qualified in Biology as an additional subject in a later year, was not valid. At the same time, this Court notices that though the petitioner is covered by the terms of the judgment, the relief cannot be granted since the last date stipulated for grant of any class of relaxation under the MCI Regulations of 1997 and the amendments made thereto, prescribe a clear and categorical last date, i.e. 31.08.2018. In these circumstances, the relief claimed cannot be granted. The writ petition is accordingly dismissed along with the pending application.

S. RAVINDRA BHAT, J

A. K. CHAWLA, J

SEPTEMBER 25, 2018
AJK

