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

+ **W.P.(C) 9771/2018 & CM APPL.38064/2018 (Exemption)**

PRADEEP KUMAR RAJPUT

..... Petitioner

Through: **Mr. Arunav Tewari and Mr. S.K. Singh, Advocates**

versus

MEDICAL COUNCIL OF INDIA

..... Respondent

Through: **Mr. T. Singhdev, Ms. Amandeep Kaur, Mr. Tarun Verma and Mr. Abhijit Chakraborty, Advocates**

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

ORDER

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18.09.2018

The present petition under Articles 226 and 227 of the Constitution of India, has been instituted on behalf of the petitioner praying as follows:-

- “(a) Issue a writ in the nature of mandamus or any other writ, order or direction thereby directing the respondent to issue the requisite eligibility certificate in favour of the petitioner in terms of petitioner’s application dated 14.09.2011 along with the requisite documents duly acknowledged by the office of the respondent to make her eligible for appearing in the screening test/to do medical practice in India; and
- (b) Pass such other further order/orders as this Hon’ble Court may deem fit and proper in the facts and circumstances of the case.”

Mr. T. Singhdev, learned counsel appearing on behalf of Medical Council of India on advance notice states that, the present petition has become infructuous, in view of the circumstance that vide order No.MCI-201(EC11-11758)/2017-Eligi./161414 dated 12.01.2017, they have already rejected the petitioner's application seeking eligibility certificate on the ground that, the candidate has yet to undergo two year study in Physics, Chemistry and Biology, before seeking the subject eligibility certificate.

In view of the foregoing, after some arguments, learned counsel appearing on behalf of the petitioner seeks leave to withdraw this petition with liberty to assail the said order dated 12.01.2017, passed by the Medical Council of India, whereby his request for grant of eligibility certificate has been rejected.

Leave and liberty granted.

The petition is dismissed as withdrawn and disposed of accordingly. The pending application also stands disposed of.

SIDDHARTH MRIDUL, J

SEPTEMBER 18, 2018

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