

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (C) No.4620 of 2019**

Om Dubey, aged about 23 years, S/o Mr. Dr. Rakesh Dubey, resident of Dirghayu Nursing Home, Gol Chowk, Rohinipuram, Raipur, Chhattisgarh e-mail Id- omdubey1996@gmail.com

---- **Petitioner**

Versus

1. Union of India through the Secretary of Medical and Health Department, Nirmaan Bhawan, New Delhi E-mail Address- hfwminister@gov.in
2. Board of Governance in suspension of Medical Counselling of India through Secretary Dwarka, Sector-8, New Delhi E-mail Address- cvo.mci@nic.in
3. National Board of Examination office at Gurgaon Raod, Near District Court Dwarka Sector-9, New Delhi E-mail Address- nbe@mail.digialm.com
4. Medical Counselling Committee through Director/Additional Director, Nirmaan Bhawan, New Delhi

---- **Respondents**

For Petitioner	: Shri B.P. Sharma and Shri Raza Ali, Advocate.
For Respondents/UOI	: Shri B. Gopa Kumar, Assistant Solicitor General

Hon'ble Shri P.R. Ramachandra Menon, Chief Justice
Hon'ble Shri Parth Prateem Sahu, Judge

Order on Board

Per, P.R. Ramachandra Menon, Chief Justice

19/12/2019

1. The Petitioner has moved this Court with the following prayers :

“A. A writ and/or an order in the nature of writ or mandamus do issue commanding and directing the respondent authorities to produce before this Hon'ble Court all the relevant records pertaining to the case of the petitioner.

B. A writ and/or an order in the nature of writ of appropriate nature do issue directing the respondents to issue admit card to the petitioner under the user ID PG108616 and in effect allow the petitioner to appear in the examination to be conducted on 5th of January

2020 on such terms and conditions this Hon'ble Court may deem fit in the facts and circumstances of the case.

C. Any other relief which this Hon'ble Court may deem fit in the facts and circumstances of the case.

D. Cost of the petition may also be awarded.”

2. When the matter came up for consideration before this Court on 17.12.2019, the following order was passed :

“Shri B.P. Sharma, learned counsel appearing for the Petitioner submits that as per the information gathered by the Petitioner, the only defect insofar the Petitioner's application is concerned for participating in the NEET (PG) Examination-2020 is with regard to uploading of the 'signature'. The Petitioner has been virtually required to 'change his signature' to the requisite extent as stipulated by the authorities concerned.

When the matter was taken up for consideration yesterday, we required to get instructions and time was sought for by the learned Assistant Solicitor General.

Today, the learned Assistant Solicitor General submits that despite sending Mail, instructions are still to be obtained; adding that, the defects are of general nature as evident from Annexure P/6 with reference to uploading of photograph, signature and thumb impression for not being as per the guidelines mentioned. There is no probability at all to have given any direction to change the signature as alleged by the Petitioner, submits the learned Assistant Solicitor General.

Post this matter on 19.12.2019 to ascertain the actual nature of defect involved, insofar as the Petitioner is concerned.”

3. Today, Mr. B. Gopa Kumar, the learned Assistant Solicitor General submits on the basis of instructions received that, the authorities concerned have decided to open the window in the website today afternoon and will remain open tomorrow and day after tomorrow as well. It is stated that the Petitioner could make use of the opportunity and effect the necessary corrections / rectifications to the requisite extent as per the guidelines so

that the Petitioner can proceed with further steps in connection with the application for getting admission to National Eligibility Entrance Test (Post Graduate).

4. The submission is recorded. The writ petition stands closed.
5. We appreciate the earnest efforts taken by the learned Assistant Solicitor General in getting timely instructions so that the fate of the students stands protected to the maximum possible extent.

Sd/-

(P.R. Ramachandra Menon)
Chief Justice

Sd/-

(Parth Prateem Sahu)
Judge