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HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 1686 of 2020**

- Sherrin Jacob, D/o Jacob Sakariah, aged 26 Years, R/o D-34, Sector-1, Devendra Nagar, District- Raipur, Chhattisgarh.

---- Petitioner**Versus**

1. Union of India, Through Secretary Ministry of Health and Family Welfare 'A' Wing, Nirman Bhawan, New Delhi- 110011.
2. Atal Bihari Vajpayee Institute of Medical Sciences, Through Dean Baba Kharak Singh Marg, Near Gurudwara Bangla Sahib, Connaught Place, New Delhi, Email Id- drsoodr@Yahoo.Com, Mobile No. 09810005182.
3. Vardhman Mahavir Medical College, Through Dean Mahatma Gandhi Marg, Raj Nagar, Safdarjang Hospital, New Delhi- 110029

---- Respondents

For Petitioner
For Respondent No.1

Shri Siddharth Shukla, Advocate.
Shri B. Gopa Kumar, ASG

Hon'ble Shri Justice Prashant Kumar Mishra
Hon'ble Shri Justice Gautam Chourdiya

Order on Board by Justice Prashant Kumar Mishra**05/08/2020**

1. The matter is heard through Video Conferencing.
2. The issue pertains to allotment of seat in Post Graduate Medical College course i.e. MD/MS/Diploma Seats-2020 in Stray Vacancy Round (SVR).
3. Petitioner's candidature has not been considered on the ground that she failed to apply within the prescribed time. According to the petitioner's counsel, candidates having secured less marks

i.e. candidates who are lower in rank, have been considered for allotment of stray vacancy whereas her candidature has been thrown out despite the same having been made within the prescribed time i.e. before 11:59 pm on 28th July, 2020.

4. Shri. B. Gopa Kumar, learned Assistant Solicitor General appearing for the respondent No.1, Union of India, Ministry of Health and Family Welfare, would submit, at the outset, that on receipt of petitioner's representation through e-mail, the petitioner was directed to again send her application which she had submitted before the due time and date. Since after the petitioner complied with the directions, she is now found to have applied within time. He would submit that he has received instructions from the competent authority to the effect that petitioner's case shall be considered in accordance with her merit position.
5. In view of the statement made by learned ASG, nothing survives for adjudication in this petition. It is accordingly disposed of in terms of the learned ASG's statement.
6. Certified Copy today itself.

Sd/-
Prashant Kumar Mishra
Judge

Sd/-
Gautam Chourdiya
Judge