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

+ W.P.(C) 4165/2020 & CM 14999/2020 (direction)

DR PRIYA BHARTI

..... Petitioner

Through Mr.Kuldeep Rai, Mr. Jayesh Gaurav,  
Mr. Rukban Tyagi, Advs.

versus

MINISTRY OF HEALTH AND FAMILY WELFARE & ORS

..... Respondents

Through Ms.Bharathi Raju, CGSC for R-1  
& R-2.  
Ms.Vikas Mahajan, CGSC, UOI.  
Mr.T.Singhdev, Ms.Michelle B.Das,  
Advs. for R-3.

**CORAM:**

**HON'BLE MR. JUSTICE NAVIN CHAWLA**

**ORDER**

% **10.08.2020**

1. This hearing has been held by video conferencing.
2. This petition has been filed by the petitioner praying that she be allowed to participate in the Mop Up round of counselling without depositing the tuition fees as security deposit.
3. In the petition, it is averred that the petitioner had got herself registered for the second round of counselling for the NEET PG 2020 by paying the requisite fees including the security deposit. It is further averred that the petitioner had filled the total choice of 774 seats but out of which, five colleges, that is from serial nos.165 to 170, which are management quota choices, had also been selected by the petitioner inadvertently,. It is further averred that the petitioner subsequently corrected this mistake and locked her choice, however,

in spite of this correction, the previous choices still appeared and the petitioner was eventually allotted a seat in one of the said college. The intimation regarding the same was received by the petitioner on 15.06.2020 and she immediately protested against the same. It has been averred that as the mistake has occurred due to technical error at the end of the respondents, the petitioner be exempted from depositing the security amount again for the Mop Up round.

4. The respondent no.2 has filed a Status Report annexing therewith the Activity Log of the petitioner between 06.06.2020 to 12.06.2020, which was the last date for locking the choice for the second round of counselling. It is stated that on 12.06.2020, that is the last date of choice filling/locking, the choices as stated by the petitioner, including the five colleges in question, remained the same and were automatically locked. It is further stated that the candidates were informed that in case the candidates do not lock their choice of institutes, the last choice filled will automatically get locked on 12.06.2020. The candidates were also informed that upon locking the choice, they can take a print out of the choice so locked otherwise they can take a print out of the choice that would automatically get locked on 12.06.2020.

5. Admittedly, the petitioner has not made any protest regarding her inability to lock the final choice excluding the five colleges on 12.06.2020 till 15.06.2020, when one of the colleges was allotted to her.

6. In view of the above, the stand taken by the petitioner cannot be accepted.

7. By an interim order dated 14.07.2020 of this Court, the petitioner was allowed to participate in the Mop Up round of counselling without furnishing fresh security deposit. The petitioner, however, could not secure a seat in the Mop Up round of counselling. In that event, even if the petitioner had made a fresh deposit of the security amount, the same would have been refunded back to the petitioner. Therefore, no further amount can be demanded from the petitioner.

8. As far as the forfeiture of the security deposit for the second round of counselling is concerned, the petitioner does not deserve any relief. The same has been rightly forfeited by the respondents.

9. I therefore, find no merit in the present petition and the same is dismissed with no order as to costs.

**NAVIN CHAWLA, J**

**AUGUST 10, 2020**  
**RN**