

16.6.2022

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WPA 9703 of 2022

Uzma Jawaid
Vs.
Union of India & Ors.

Mr. Subir Sanyal,
Ms. Binita Mitra
... for the petitioner

Mr. Nilanjan Bhattacharyya ... for the U.O.I.

Mr. Indranil Roy
Mr. Sunit Kumar Roy ... for the National
Medical Commission

Let the National Medical Commission be added as a party respondent in the matter. Leave is granted to the petitioner to add the National Medical Commission as a party respondent.

Petitioner seeks admission in the medical course for National Eligibility cum Entrance Test (PG)-2021. It is the case of the petitioner that though her name is in the merit list and despite seats are being vacant, she is not being permitted to join the said course .

Mr. Subir Sanyal learned advocate appearing for the petitioner relies on a

judgment rendered in WPA 9662 of 2021 (Rachit Lochan -vs- The West Bengal University of Health Sciences and anr.) passed by a Coordinate Bench of this Court.

Mr. Indranil Roy, learned advocate representing the National Medical Commission submits that the issue with regard to belated admission to medical course for NEET (PG)-2021 has been decided by the Supreme Court in the judgment passed in writ petition (C) No. 409 of 2022 (Dr. Astha Goel and Ors. -vs- The Medical Counselling Committee & Ors.). He draws the attention of this Court to para 10.6 of the said judgment.

Para 10.6 reads:

"Apart from the fact that after closure of the last round of counselling on 7.5.2022, the entire software mechanism has been closed and the security deposit is refunded to the eligible candidates, is to be noted that the admission process for NEET-PG 2022 has already begun, the results for the NEET-PG 2022 has been announced on 01.06.2022 and as per the time schedule , the counselling process is going to start in

July 2022. Therefore, if one additional Special Stray Round of counselling is conducted now, as prayed , in that case, it may affect the admission process for NEET-PG 2022”.

In view of the aforesaid judgment there is no scope to entertain this writ petition permitting the petitioner to take admission at this stage following the judgment passed on 2nd June, 2022, in Rachit Lochan’s case which was passed in the facts of that case.

Accordingly, WPA 9703 of 2022 is dismissed.

Let urgent photostat certified copies of this order, if applied for, be supplied to the parties upon compliance with all necessary formalities.

(Kausik Chanda, J.)