

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.12264 OF 2023

Dr. Charmi Sandeep Mistry and Ors. .. Petitioners

Vs.

State of Maharashtra,

Through Dept. of Medical Education & Drugs & Ors. .. Respondents

Mr. V.M. Thorat, Sr. Advocate, with Adv. P.V. Thorat, i/by Adv. M.V. Thorat, for the Petitioners.

Mr. S.B. Kalel, AGP for the Respondent-State.

Mr. Tushar N. Halwai, h/f. Mr. Nekkhlil Chavvan, for Respondent No.3.

CORAM : SUNIL B. SHUKRE &
FIRDOSH P. POONIWALLA, JJ

DATE : 3RD OCTOBER, 2023.

P.C. :

1. Mentioned. Not on board. Upon mentioning, taken on production board.
2. Heard learned Senior Advocate for the petitioners. He submits that because of modification of the clause, as contained in the earlier policy, relating to disqualification of all India candidates, petitioners apprehend that the respondents-authorities may wrongly interpret the modified clause and mar the prospects of the petitioners in securing admission to NEET PG Courses.
3. We find that the modification of the relevant clause, as contained in clause 14.11.9 "Round 3 Process", of the earlier policy has now resulted in

expansion of its scope in the sense that an All India candidate would earlier incur disqualification for taking part in CAP Round-3 upon his/her allotment of seat in all India candidates Round-3 and now an all India candidate would be disqualified from taking part in State CAP Round-3 on his mere “joining” the All India candidates Round-3, which indicates nothing but participation of such candidate in All India candidates Round-3. That being so, the apprehension expressed by the petitioners is without any basis and, therefore, we find that this petition deserves to be dismissed summarily. The petition stands dismissed summarily.

[FIRDOSH P. POONIWALLA, J.]

[SUNIL B. SHUKRE, J.]