

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.12986 OF 2023

Dr.Survi Karthik Goud & Anr.

... Petitioners

Versus

The Chairman of National Medical
Commission & ORs.

... Respondents

Ms.Kalpana Kanhere and Mr.Jivteshwar Singh, Advocate for the
Petitioners.

Mr.Akshay S. Pansare i/b. Mr.Sachindra B. Shetye Advocate for
Respondent No.4 (MUHS).

**CORAM : NITIN JAMDAR AND
MANJUSHA DESHPANDE, JJ.**

DATE : 06 NOVEMBER 2023.

P.C. :

The Petitioners are studying with Respondent No.5–
Grant Government Medical College and Sir JJ Group of Hospitals,
Byculla, Mumbai in the DM Neurology course. On 30 May 2023
decision taken by President of National Medical Commission
(Commission), Medical Assessment and Rating Board (MARB) to
Respondent No.5 was communicated to Respondent No.5 stating
that there would be no admissions permitted for the academic year
2023–24 for DM Neurology course, Mumbai, and there have been
wrong seat matrix data and one who prepared the wrong seat matrix
data, disciplinary action needs to be taken and report should be

submitted to the Commission. Accordingly, the National Medical Commission called upon Respondent No.5 not to take fresh admissions in the academic year 2023–24. It is the Petitioners who have challenged this decision but Petitioners are not affected by the said decision because the Petitioners' admission on the added post is not being disturbed. This position is an admitted position before us. If that being the position, the Petitioners locus to challenge this decision becomes entirely questionable. In paragraph 19 of the Petition, the Petitioners after criticizing the decision have stated that it will place burden on the Petitioners, and how it will be difficult for the College if the seats are not restored.

2 The Petitioners have no locus to raise this question. This is not a Public Interest Litigation (PIL) neither a grievance made by Respondent No.5 before us. As far as the Petitioners are concerned, their admissions are not being disturbed.

3 The Writ Petition is accordingly disposed of.

(MANJUSHA DESHPANDE, J.)

(NITIN JAMDAR, J.)