

HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

Present:

THE HON'BLE JUSTICE JAY SENGUPTA

WPA 22761 of 2024

Subhajit Seal

versus

The State of West Bengal and others

For the petitioner

Mr. Akash Dutta
Ms. Priyamvada Singh

For the State

Mr. Biswabrata Basu Mallick
Mr. Sayan Ganguly

Last Heard on

09.09.2024

Judgment on

09.09.2024

JAY SENGUPTA, J:

This is an application praying for directions upon the respondent authorities to amend and/or correct the application form for NEET UG 2024 Examination or allow the petitioner to be considered as an OBC-PWD category candidate in the application form.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner sat in the NEET UG 2024

Examination and got an aggregate of 605 marks out of 720 and an All India rank of 72135. However, at the time of applying for sitting in the examination he did not possess a Disability Certificate although he was being treated for certain ailments since long. That is why he did not apply as a PwD candidate. However, soon thereafter he was issued a Disability Certificate by the National Medical College and Hospital. If no direction is passed upon the respondent authorities to allow this Disability Certificate to be verified and the petitioner to be treated as an OBC-PwD candidate, the respondent authorities were not going to treat him as such. When the petitioner had gone to the IPGMER, Kolkata for getting such certificate, as the same is listed by the Central Government in a list of 16 institutions from where such certificate can be obtained, he was asked to get the certificate from the nearby government hospital. That is why he applied and obtained a certificate from the NMC, Kolkata. Today is the last date for verification of such certificate.

Learned counsel for the State denies the allegations made in the writ petition, relies on Information Bulletin and Counselling Scheme for NEET UG Counselling, 2024 and submits as follows. First, as admitted by the petitioner a list of 16 centres has been notified by the Centre from which such disability certificate can be taken. For Kolkata region, it is IPGMER, Kolkata. But, the certificate was obtained not from

there, but from NMC, Kolkata. So, the same cannot be considered for verification. Secondly, as per the Information Bulletin, it is clear that a candidate would not be allowed to change or alter information given in the application form. Thirdly, the petitioner did not describe himself as a PwD candidate in his application form.

I have heard learned Advocates for the parties, perused the writ petition and the copies of documents relied upon.

If the petitioner was having the claimed disability, he ought to have applied as a PwD candidate. But, he did not do so. Disability Certificate could have been obtained in time.

Secondly, as per the Information Bulletin for the examination, there is a purported bar on altering information provided in the application. This would go against the petitioner.

Moreover, there is a list of medical institutions declared by the authority from where the Disability Certificate may be taken. Thus, for any other purpose, a disability certificate can be obtained and used from the nearest government hospital as notified. But, for the purpose of the examination in question, 16 institutions were notified from which such certificate could be obtained. This issue also goes against the petitioner.

In view of the above discussions, I do not find any merit in this application.

Accordingly, the same is dismissed.

However, there shall be no order as to costs.

Urgent certified copy of this order, if applied for, be supplied to the parties upon compliance of requisite formalities.

(Jay Sengupta, J)