



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

919 WRIT PETITION NO. 3791 OF 2024

KARAN MANMOHAN PATIL

VERSUS

THE UNION OF INDIA THROUGH ITS PRINCIPAL SECRETARY AND
OTHERS

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Mr. Vinod Prakash Patil Advocate for Petitioner.

Ms. R.P. Gour, A.G.P. for Resp. No.2.

Mr. Bhushan Kulkarni Advocate for Resp. No.3.

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**CORAM: SMT. VIBHA KANKANWADI AND
S.G. CHAPALGAONKAR, JJ.**

DATE : 3rd MAY 2024

ORDER :

1. The petitioner had completed his 12th Science in 2021-2022 and is desirous of seeking admission to the medical course. He had submitted on-line NEET registration form on 12th March 2024. The petitioner has come with the case that while uploading the documents he has wrongly uploaded some other student's photograph to his NEET registration form. It was by inadvertence. The explanation that has been tried to be given is that since the petitioner was uploading the documents from a Cyber cafe computer, the said mistake has occurred. He submits

that when he realized about the mistake, he had made communication through e-mails to the respondent authority i.e. respondent No.3, however, there was no response. Hence he has filed the present Petition for issuing directions to respondent No.3 to permit the petitioner to correct the form and permit him to replace the wrongly uploaded photograph with his own photograph.

2. Respondent No.3 has filed affidavit of its Director, Binod Kumar Sahu, who has given the rules which are in operation and also the schedule of the forms, correction to be effected in the same at various intervals and submits that there was enough opportunity to the petitioner to correct the mistake. He also states that after the schedule is over, no permission can be granted to correct the said mistake.

3. Heard learned Advocate Mr. Patil for the petitioner, learned AGP Ms. Gour for respondent No.2 and learned Advocate Mr. Kulkarni for respondent No.3.

4. Without going into the merits as to whether such uploading of photograph was deliberate or unintentional and whether it can be so corrected so as to see that the petitioner is not objected by

the center head, we have tried to sort out the problem taking into consideration the fact that the petitioner is a student and he should not loose academic year due to such mistake. We have tried to sort it out with the help of learned Advocate for respondent No.3. Since the NEET examination is scheduled on 5th May 2024, taking into consideration the urgency and the duration left, and as the suggestion has come from respondent No.3 that the petitioner can be admitted to give the examination upon showing his identity in the form of identity card, Adhar Card, Voter ID and also if the center head requires any undertaking to be given, then such undertaking should be given, we are of the opinion that the Writ Petition can be disposed of with directions.

5. Writ Petition is disposed of with following directions:-

(I) The respondents and its authorities conducting the NEET examination, especially at the center i.e. New Horizon Scholars School, Airoli, Navi Mumbai, Thane should permit the petitioner – Karan Manmohan Patil to appear for the NEET examination on 5th May 2024. The petitioner should report as per the admit card or even prior to that at the center. The petitioner should show the authenticated copy of the order of this Court to the center head and also the petitioner should take self attested photocopies of identity card, Adhar Card, Voter ID, along with

the copy of Class 12th Board Certificate having his photograph, one photograph along with the original of the aforesaid documents. The observer / center head may keep the self attested documents as well as the photograph tendered, with him upon comparison with the original.

(II) If facility of finger prints verification machine is available with the center, then the center head may also match those finger prints by taking the finger prints of the petitioner on the said machine.

(III) Upon the satisfaction of the center head, the petitioner should be allowed to appear in the said examination.

(IV) If the center head requires any undertaking with regard to the photograph on the admit card not matching with the actual physic of the petitioner, then the petitioner should give such undertaking to the satisfaction of the center head.

(V) Parties to act upon authenticated copy of this order.

(VI) Learned Advocate for respondent No.3 may forward the copy of this order to respondent No.3, who in turn, may also forward copy to the center head with his comments or directions, if any, in advance.

[S.G. CHAPALGAONKAR]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE