



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 13318 OF 2023

Ravinder Singh Jaipal

... Petitioner

vs.

National Medical Commission

...Respondent

Mr. M.V. Thorat a/w. Mr. Amar Bodke for the petitioner.

Mr. Vivek Sharma i/b. Mr. Ganesh Gole for the respondent.

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CORAM: G. S. KULKARNI &  
FIRDOSH P. POONIWALLA, JJ.  
DATED: 10 April, 2024

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P.C.

1. This petition under Article 226 of the Constitution of India is filed  
praying for the following reliefs:

“a) call for relevant records and proceedings from the office of respondent of respondent authorities and after going into legality of the same, quash and set aside letter dated 5.6.2021 and 23.11.2021 issued by respondent-National Medical Commission thereby rejecting the application of the petitioner for grant of eligibility certificate.

b) direct the respondent-National Medical Commission to forthwith issue eligibility certificate thereby making the petitioner eligible to undertake compulsory internship and for further permanent registration with local medical Council and/or Medical Council of India (National Medical Commission).

2. We have heard this petition on the earlier occasion. The eligibility certificate was denied to the petitioner on the ground that the Board of School and Technical Education, Chhatisgarh from where the petitioner has

passed out his 12<sup>th</sup> Standard examination whether is an authorized institution was not on the record of respondent no.1. Hence Mr. Gole, learned counsel for the respondent had sought an adjournment to take instructions on this issue on the ground that inquiry in that regard is in progress.

3. Today we are tendered an email address by the concerned officer of the respondent to Mr. Gole *inter alia* stating that the awaited reply from the Council of Boards of School Education in India is received according to which, the said Board is found to have been recognized for the period 7 November, 2012 to 11 March, 2014. On the said reply, the EMRB board of the respondent has approved issuance of an eligibility certificate to the petitioner. It is submitted that for issuing such eligibility certificate, there is multi layered process and the application is at advance stage of process, and this be brought to the notice of the Court.

4. Considering such reply received from the respondent, we are of the view that now it is eminent that the eligibility certificate would be issued to the petitioner by the respondent. Let the same be issued as expeditiously as possible and in any event within a period of three weeks from today.

5. We, accordingly, dispose of this petition in terms of the said observations, however, taking on record the email address by the concerned officer of the respondent to Mr. Gole.

6. All contentions of eligibility certificate to be issued are expressly kept open.

7. Disposed of in above terms. No costs.

( FIRDOSH P. POONTIWALLA, J.)

(G. S. KULKARNI , J.)