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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 13072 OF 2024

Suyash Suryakant Patil

..... Petitioner

VERSUS

**National Medical Commission,
Thr. Its Secretary & Ors.**

..... Respondents

Mr. Shantanu Derhgawen for the Petitioner.

Mr. Ganesh Gole a/w. Mr. Viraj Shelatkar for the Respondent
No.1.

Mrs. M. S. Srivastava, A.G.P. for the State.

**CORAM : A.S. CHANDURKAR &
RAJESH S. PATIL, JJ**

DATE : 4th OCTOBER, 2024

P.C. :-

Our attention is invited to the order passed by the Supreme Court in *Writ Petition (Civil) No. 856 of 2023 (Bambhaniya Sagar Vasharambhai vs. Union of India & Ors.)* dated 22nd September 2023. In paragraph 13 it has been observed as under :-

13. In the opinion of this Court in cases of even of specified disabilities, in all cases the standard of 40%

may result in “one size fit all” norm which will exclude eligible candidates. The Union, therefore, shall consider the steps to mitigate such anomalies, because a lower extent of disabilities bar benefits and at the same time render them functional, whereas higher extent of disability would entitle benefits, but also result in denying them the benefit of reservation. The National Commission and the Central Government are directed to consider the problem and work out suitable solutions to enable effective participation.

2. The learned counsel appearing for the respondent no.1 to obtain instructions as to whether any steps have been taken pursuant to the directions issued in paragraph 13.
3. List under the caption of “Directions” on 10th October 2024.
4. The parties to act on the authenticated copy of this order.

[RAJESH S. PATIL, J.]

[A.S. CHANDURKAR, J.]