

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.13365 OF 2024

Siddhi Subhash Jadhav,	]	
R/of Hatkanangale, Dist. Kolhapur	]	.. Petitioner
<i>Versus</i>		
1. Union of India,	]	
Through Ministry of Health & Family Welfare	]	
2. National Testing Agency, New Delhi	]	
3. Grant Govt. Medical College & Sir J.J. Group	]	
of Hospitals, Mumbai	]	
4. The State of Maharashtra	]	
5. State Common Entrance Test Cell,	]	
Maharashtra, Fort, Mumbai	]	
6. Ali Yavar Jung National Institute of Speech	]	
and Hearing Disabilities, Bandra, Mumbai	]	.. Respondents

Mr. Suyash Sule, i/by Mr. Drupad Patil, Advocates for the Petitioner.
Mr. Rui A. Rodrigues with Mr. Vinit Jain and Mr. Ashutosh Mishra,
Advocates for Respondent No.1.
Mr. Rui A. Rodrigues with Mr. Jainendra Sheth, Advocates for Respondent
No.2.
Mr. Rui A. Rodrigues, Advocate for Respondent No.5.
Mr. Kushal Amin, 'B' Panel Counsel for the Respondent-State of
Maharashtra.

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

DATE : 10TH OCTOBER 2024.

ORAL JUDGMENT : { Per A.S. Chandurkar, J. }

1. Leave granted to implead Rajarshi Chhatrapati Shahu Maharaj
Government Medical College, Kolhapur as respondent no.7. Amendment
be carried out forthwith. The learned Assistant Government Pleader
waives notice for the newly added respondent.

2. Rule. Rule made returnable forthwith and heard learned counsel for the parties.

3. The petitioner suffers from hearing impairment and has been diagnosed with B/L Modertely Severe SNHL. Her Disability Certificate dated 2nd September 2024 indicates 50% permanent disability. The petitioner was desirous of pursuing the MBBS Course and hence participated in the NEET (UG) Examination - 2024. Inadvertently, she could not seek reservation under the “Persons with Disability” (*PwD*) quota and hence approached this Court.

4. By an order dated 25th September 2024, the petitioner was directed to appear before the 6th respondent to enable consideration of her Disability Certificate. The petitioner accordingly appeared and on 27th September 2024, the respondent no.6 issued its summary report indicating that the petitioner was suffering from “Bilateral Severe Sensorineural Hearing Loss”. The petitioner was therefore provisionally permitted to participate in CAP-2 by filling in requisite form indicating that she was belonging to the PwD quota. Pursuant thereto, the petitioner appeared and has now been provisionally admitted at the respondent no.7-College.

5. The respondent no.6 on 8th October 2024 has issued a communication stating therein that the petitioner was examined with her

hearing aids and on that basis her assessment was completed. The report dated 8th October 2024 substantiates the claim of the petitioner belonging to the PwD quota.

6. Considering the fact that the petitioner has undergone all the requisite tests for determining her disability and the same has now been certified by respondent no.6, her admission at the respondent no.7-College deserves to be regularized. Accordingly, it is directed that respondent no.7 shall regularize petitioner's admission in the PwD quota, enabling her to pursue the aforesaid course. The certificates indicating the aforesaid sent by the respondent no.6 are taken on record and marked "A" for identification.

7. With aforesaid directions, the writ petition is disposed of. Rule accordingly. No costs.

[RAJESH S. PATIL, J.]

[A.S. CHANDURKAR, J.]