



2024:DHC:1174



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 147/2024 & CM APPL. 645/2024**

ADITYA LAL VALLATH Petitioner

Through: **Dr. S. K. Khattri, Adv.**

versus

**NATIONAL BOARD OF EXAMINATIONS IN MEDICAL
SCIENCES & ANR.** Respondents

Through: **Mr. Sunil J. Mathews, Ms. Jyoti
Rani, Mr. Vaibhav Bhardwaj and Mr. Sritam
Mohanty, Advs. for R-1**

**Mr. S. Sukumaran, Mr. Anand Sukumar and
Mr. Bhupesh Kumar Pathak, Advs.**

CORAM:

HON'BLE MR. JUSTICE C. HARI SHANKAR

J U D G M E N T (O R A L)

%

14.02.2024

The Issue

1. This is a case concerned more with math than with law.
2. This can be explained in a raw form and *sans* frills, thus.
3. The petitioner's period of training was to expire on 29 September 2023. He was entitled to 90 days' leave during his training period. He was required to undergo additional training for the number of days of leave availed by him in excess of 90 days.



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4. Gazetted holidays and one weekly off were, however, excludible while computing said period of 90 days.

5. The petitioner availed 140 days' leave during his training period. The respondent, therefore, contends that the petitioner had to undergo 50 days' additional training.

6. In so contending, the respondent has erred in failing to notice that, in the period of 90 days' leave availed by the petitioner, 20 days were weekly offs and 7 days were gazetted holidays. They could not, therefore, be counted towards the leave availed. The number of extra days of leave availed, therefore, was not 50, but $50 - 27$, which was 23.

7. The petitioner had, therefore, to undergo only 23 days' additional training.

8. He underwent that.

9. The respondent is, therefore, incorrect in its submission that the petitioner's training period would conclude only on 13 November 2023.

10. Q.E.D.

Facts

9. With that prefatory mathematical preface, I may now come to

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the facts in greater detail.

11. The Diplomat of National Board (DNB), I am informed, is a qualification which is equivalent to MD and can be undertaken by a student who has cleared his MBBS.

12. Consequent to qualifying his MBBS, the petitioner applied for DNB Emergency Medical Training for the academic session 30 September 2020 to 29 September 2023.

13. The DNB training has to be undertaken with a recognized hospital. The petitioner chose to have the training undertaken in the Peerless Hospitex Hospital and Research Centre, Kolkata (hereinafter referred to as “the Hospital”).

14. On 16 October 2020, the hospital approved the request of the petitioner for grant of DNB training and enrolled the petitioner as a DNB emergency medical trainee for the period 30 September 2020 to 29 September 2023. Para 13 of the letter of enrolment dated 16 October 2020 reads as under:

“13. Leave - 30 days of leave in a calendar year excluding one weekly off/ Gazetted holidays as per hospital/institute calendar/policy. No study leave is permissible to you. Under normal circumstances leave of a particular year should not be carried forward to the next year. However, in exceptional cases like prolonged illness or on any meritorious ground, leave across the training programme may be clubbed together. Any leave other than the above is not permissible and shall lead to extension of the course. The institute shall abide by the Board guidelines issued from time to time in this regard.”

15. During this period, owing to certain unavoidable family

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circumstances, the petitioner applied to the National Board of Examination (the NBE), which awards the DNB qualification, for leave for the period 25 March 2021 to 25 July 2021. Said request was approved by the NBE *vide* letter dated 12 April 2021, which also stipulated that the leave, if taken in excess of the leave available with the petitioner, would lead to extension of his period of DNB training which, otherwise, was to expire on 29 September 2023. The stipulation to that effect in the letter dated 12 April 2021 read thus:

“Ref No Regn/DNB/Post MBBS/R- 2361412020/291

Dated 12.04.2021

Mr. Subir Saha
Sr. Manager-Academics
Peerless Hospital & B K Roy Research Centre
360, Panchasayar, Kolkata,
West Bengal-700094

Sub: Leave of DNB trainee Dr. Aditya Lal Vallath-reg.

Sir/madam,

This is in reference to an email dated 24.03.2021 on the subject cited above.

NBE has been made to understand that the above candidate has availed applied or 123 days leave from 25.03.2021 to 25.07.2021 due to family problems.

As per the revised leave rules sated 20.03.2018 candidates in or after 2018 can avail Maternity/Paternity leave, as per the Central or State Government policies, whichever is applicable to DNB/FNB training institute. Any Leave availed by the DNB/FNB Trainee other than the eligible leave mentioned in the revised leave rules dated 20.03.2018 (i.e. 30 days as per year), shall lead to extension of DNB/FNB training to complete the prescribed duration of training as mentioned in the information bulletin and registration letter. The extension of leave more than a year will lead to cancellation of candidature.

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I am directed to inform you that leave applied by the candidate for 123 days from 25.03.2021 to 25.07.2021 has been considered by NBE. Please note that leave availed by the candidate other than the eligible leave shall lead to extension of DNB training.

You are requested to submit the rejoining report of the candidates once the candidate re-joins the course. The eligibility for DNB final examination shall be determined in accordance with the criteria prescribed in the information Bulletin of respective session.

Please note that any further leave beyond NBE leave norms availed by the candidate shall invite prior NBE approval.

Yours sincerely,

Sd/-
(Tina Mehta)
Assistant Director
(Training and Monitoring Division)

Copy to:
Dr. Aditya Lal Vallath
Laketown CO Op Housing Society
Bid No. E3, Flat No. 1101
Bibwewadi, Pune,
Maharashtra-411037"

16. On 27 October 2021, the NBE granted provisional registration to the petitioner for DNB training for a period of three years w.e.f. 29 September 2020.

17. On 23 March 2023, the Hospital issued a Provisional Training Completion Certificate (PTCC), to the petitioner, which constitutes the seed from which the present controversy has germinated. The certificate stated that the petitioner would be completing his DNB training on 28 September 2023. The said certificate requires to be reproduced *in extenso* thus:

"Peerless Hospitex Hospital And Research Centre Limited

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360, Panchasayar, Kolkata-700094, Phone 033-40111222, 2462
2394/2462/0071-73

Fax: 033-24620692, E-mail: ph.enquiry@peerlesshospital.com

Website: www.peerlesshospital.com

CIN: U85110WB1989PLC046938

REF : PHH/CD-AQR/NBEMS/DNB(EM)/3983/2023

DATE: MARCH 23, 2023

The Executive Director,
National Board of Examinations in Medical Sciences,
Medical Enclave, Ansari Nagar,
Mahatma Gandhi Marg (Ring Road),
New Delhi 110 029

Subject:- Furnishing of DNB/DrNB Training Completion
Certificate (PROVISIONAL)

Sir,

This training completion certificate has been issued to Dr Aditya Lal Vallath Son of Mr. V.P. Datheendra Lal who was registered with National Board of Examinations in Medical Sciences w.e.f. September 09, 2020 vide Registration Number 152-45120-201-230419 for Three years of DNB training in the specialty of Emergency Medicine in our hospital, for the purpose of appearing in DNB Examination.

It is hereby certified that

1. He has joined the DNB course on 29.09.2020 and **WILL BE COMPLETING** mandatory Three years of training on 28.09.2023.
2. The leave record of the candidate is as follows:

Year of Training (First/Second/ Third)	Period of Leave (Specify Dates of leave availed)	Nature of Leave	No. of days
First Year	07.03.2021 to 31.03.2021	Personal	25
Second Year	01.04.2022 to 05.04.2022	Personal	5

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Second Year	01.06.2022 to 03.06.2022	Academic	3
Second Year	06.06.2022 to 08.06.2022	Personal	3
Third Year	10.10.2022 to 15.10.2022	Personal	6
Total number of leave availed by the candidate during his DNB training till date (Grand Total in Days)			42

5. He has appeared in the Formative Assessment Test (FAT) conducted by NBEMS and the Internal Assessment conducted by our hospital as per details mentioned below:-

Year of Training (First/Second/Third)	Year of appearing in FAT conducted by NBEMS	Year of appearing in Internal Assessment conducted by the hospital
First Year	2021	
Second Year		2021
Third Year	2022	

6. He has completed his thesis under supervision of an approved thesis guide and submitted his thesis for assessment to NBEMS on 30.06.2022.

7. He has worked during her DNB training as a resident doctor strictly in accordance with leave and other training guidelines of National Board of Examinations in Medical Sciences.

It is understood that if the details mentioned herein above are found at any stage to be incorrect/false/incomplete, he shall be declared INELIGIBLE for DNB Final Examination and his candidature for the same shall stand cancelled and result, if any declared, shall be treated as null and void.

Yours sincerely,
Sd/-

Dr. Subhrojyoti Bhowmick
Clinical Director-Academic, Quality & Research

Sd/-

Candidate's signature."



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18. On receiving the aforesaid certificate, the petitioner noticed that the period of leave availed by the petitioner during the year 2021 was wrongly reflected in the certificate as having been availed from 7 March 2021 to 31 March 2021, making out a total of 25 days, whereas, in actual fact, the petitioner had availed leave from 25 March 2021 to 25 July 2021, which worked out to 123 days, not counting any admissible holidays.

19. According to the averments in the petition, the petitioner intimated the aforesaid error to the hospital and requested the hospital to issue a new certificate.

20. Unfortunately, the last day for uploading the PTCC on the website of the DNB was 24 March 2023, i.e. the very next day after the aforesaid erroneous certificate dated 23 March 2023 had been issued by the Hospital. The uploading of the said PTCC on the website of the NBE was mandatory as it was part of the form which was to be filled in by the petitioner for appearance in the DNB final examination, to be conducted in April 2023.

21. The petition avers that, in these circumstances, pressed he was for time, the petitioner uploaded the erroneous PTCC dated 23 March 2023, issued by the hospital, which wrongly reflected the number of leave availed by the petitioner during the year 2021 as 42 instead of 123. However, he also furnished, with the PTCC, the leave letter dated 12 April 2021 issued by the NBE which clearly showed that the petitioner had been sanctioned leave from 25 March 2021 to 25 July



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2021.

22. The petitioner, therefore, avers that he cannot be accused of any misstatement or suppression of fact at the time of uploading of the PTCC on the website of the NBE on 24 March 2023.

23. The NBE issued an admit card to the petitioner, for undertaking the DNB final examination in April 2023.

24. The petitioner appeared in the DNB final examination and passed. He was issued a pass certificate by the NBE on July 2023. The petitioner also undertook the final practical examination in DNB in April 2023, in respect of which, too, he was issued a pass certificate on 18 September 2023.

25. At this stage, it is necessary to work out the number of days of leave availed by the petitioner, before proceeding further:

(i) The actual number of days of leave availed by the petitioner, as is reflected in the Final Training Completion Certificate (FTCC) which came to be later issued by Respondent 2 on 31 October 2023, was as under:

Year of Training (First/Second/Third)	Period of Leave (Specify Dates of leave availed)	Nature of Leave	No. of days
First Year	25.03.2021 to 25.07.2021	Personal	123
Second Year	01.04.2022 to 05.04.2022	Personal	5

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Second Year	01.06.2022 to 03.06.2022	Academic	3
Second Year	06.06.2022 to 08.06.2022	Personal	3
Third Year	10.10.2022 to 15.10.2022	Personal	6
Total number of leave availed by the candidate during his DNB training till date (Grand Total in Days)			140

(ii) It would be seen from the above table that the petitioner had availed a total of 140 days of leave during his entire DNB training tenure.

(iii) He was entitled to 30 days of leave each year which works out to 90 days for the complete training period.

(iv) The petitioner had, therefore, availed 50 days of leave in excess of the 90 days which was permissible.

(v) The NBE has stopped at this point and assumed that, therefore, the petitioner's training would have to be extended by 50 days beyond 29 September 2023. *In so assuming, the respondent has erred in failing to notice that the petitioner was entitled to exclude, from the available leave of 90 days, one weekly holiday and all gazetted holidays.*

(vi) 140 days meant 20 weeks, which meant 20 weekly offs. During the period of leave, there were 7 gazetted holidays. The petitioner was, therefore, entitled to deduct these 27 days, too, from the excess leave availed by him.



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(vii) The excess leave availed, thereby, stands reduced to 23 days.

26. The normal *terminus ad quem* for the DNB training course undertaken by the petitioner was 29 September 2023. When 23 days are added to 29 September 2023, the DNB training would come to an end on or around 22 October 2023, which was prior to the date of issuance of the final training certificate issued by Respondent 2 on 31 October 2023.

27. By reason of the leave availed by the petitioner during the tenure of this DNB training in excess of the period of 90 days otherwise available to him, the petitioner was, therefore, required to undergo additional training only of 23 days.

28. There is no dispute that the petitioner actually underwent the said additional training with the hospital beyond the period of 23 September 2023 which was the normal date by which the DNB training would otherwise have been completed. This fact is certified in the communication dated 31 October 2023 addressed by the Hospital to the NBE which certified that the petitioner had “compensated by performing extra duty hours during weekend and official holidays and has completed his training on 31st October, 2023.”

29. In these circumstances, the petitioner contends that he was



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entitled to appear in the DNB final examination in which he actually appeared and passed.

30. The petitioner was constrained to approach this court because of the issuance, by the DNB, of a letter dated 30 November 2023 which reads thus:

“Aditya Lal Vallath
Maniyalil House
Jarapady Mannam
PO North Paravur
Ernakulam
Kerala- 683520

Subject: Regarding DNB Final Examination- April 2023

Dear Candidate,

Refer your application for DNB Final Examination April 2023 session bearing Roll Number 2311521068, in the specialty of Emergency Medicine.

You were provisionally allowed to appear in the aforementioned examination based on the Provisional Training Completion Certificate dated 23.03 2023. This certificate indicated that the you have availed a total of 42 days of leave, of which 25 days (07.03.2021 to 31.03.2021) were categorized as personal leave.

However, the subsequent Final Training Completion Certificate dated 30.09.2023 reveals that you have availed a total of 140 days of leave, exceeding the permissible limit of 90 days. Consequently, 50 days of leave were subject to extension, resulting in an extension of the scheduled date of completion of training from 28.09.2023 to 17.11.2023.

Your Clarification regarding your completion of training by 31st October 2023, by performing extra duties during weekends & official holidays cannot be considered as per NBEMS Norms as training period of 3 years cannot be completed in less than 3 years.

As per the clause 4.3.1 of the information bulletin for aforesaid examination,

“Candidates who at any stage are found to have

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misrepresented/failed to disclose the complete details of leave taken by them, in their Provisional TCC, shall be declared INELIGIBLE on failing to complete their training on/before the prescribed cut-off date for the examination. Candidature of such candidates for DNB Final Examination shall stand cancelled and result, if any declared, shall be treated as null and void.”

It is imperative to note that you have informed incorrect details of leave availed in Provisional Training Completion Certificate and the extended completion date falls way beyond the cut-off date i.e. 31st October 2023 specified in the information bulletin for the DNB/DrNB April 2023 Session. As a result, your candidature for DNB/DrNB April 2023 session has been cancelled as you have been declared Ineligible for the same. The theory as well as practical results for the session stands null and void.

You are hereby advised that producing the aforesaid cancelled result of DNB Final Examination- April 2023 session for any purposes, including but not limited to, employment, higher education, enrolment, registration etc is not permissible and shall not be lawful.

Yours sincerely

Sd/-

Dr. Sandhya

Assistant Director(M)

Department of Examinations Conduct”

31. In view of the fact that the letter dated 30 November 2023 cancelled the entire DNB training which was undertaken by the petitioner as well as the results of his DNB final examination, the petitioner, by means of the present writ petition, seeks issuance of an appropriate writ, quashing and setting aside the communication dated 30 November 2023 and restoring the result of the petitioner’s DNB final examination both in theory and in practical.

32. I have heard Dr. Khattri, learned Counsel for the petitioner, and, Mr. Sunil J. Mathews, learned Counsel who appears for NBE as the

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only contesting respondent, at considerable length.

33. As already noted hereinabove, on plain math, it is clear that the petitioner was required to undergo only 23 days additional training beyond the normal *terminus ad quem* of 29 September 2023 for being treated as having completed the period of DNB traineeship which he had to undergo. The period of 23 days expired around 22 October 2023. The petitioner's training, however, was completed on 31 October 2023, indicating that he had in fact undergone training in excess of that required of him.

34. The NBE has, however, worked out the number of additional days of training that the petitioner would have to undergo as 50 instead of 23, by subtracting, from the total number of days of leave availed by the petitioner of 140, the 90 days leave to which the petitioner was entitled. In the process, the NBE has omitted to factor in, from the period of leave availed by him, one weekly off and Gazetted holidays, to which the petitioner was legitimately entitled. When one weekly off and Gazetted holidays are excluded from the period of 90 days of leave availed by the petitioner, the total excess leave that the petitioner has availed works out, as already noted hereinabove, only to 23 days and not 50, as 27 days are attributable to weekly offs and Gazetted holidays, out of the total period of 140 days leave availed by the petitioner.

35. On merits, therefore, the manner in which the NBE has worked out the number of additional days of training that the petitioner would



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have had to undergo is clearly erroneous. The actual figure is 23 days, and not 50 days, as the NBE contends.

36. Mr. Mathews sought to place reliance on a Notice dated 8 November 2023 issued by the Department of Training and Monitoring, NBEMS, dealing with leave applications for NBEMS trainees, particularly para 7 thereof, which reads thus:

“7. The weekly off/ holidays falling during the period of leave applied for shall be considered as leave. The days of Final Theory & Practical Examinations and Formative Assessment Tests shall not be considered as leave.”

37. This notice can obviously not apply to the petitioner as it was issued on 8 November 2023, which was even after 31 October 2023.

38. Mr. Mathews, thereafter, also sought to contend that the petitioner was guilty of misstatement and suppression in the PTCC which was uploaded by him on 23 March 2023, which declared the number of days of leave availed in 2021 as 25 instead of 123. He has also drawn my attention to certain provisions of the Information Bulletin of the NBEMS which entitled the NBE to cancel the candidature of a candidate where there is misstatement by the candidate with respect to the number of days of leave availed by him.

39. It is not necessary for me to refer to specific provision to which Mr. Mathews alludes as, in my opinion, no allegation of misstatement or suppression can be laid at the petitioner's door.

40. As is already noted earlier in this judgment, the error occurred



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at the end of the Hospital while issuing the PTCC on 23 March 2023 in reflecting the number of days of leave availed by the petitioner in 2021 as 25 instead of 123. The petitioner could not wait for the error to be rectified as the PTCC had to be uploaded on the website of the NBE on the very next day i.e. 24 March 2023. The petitioner had, in fact, not only applied to the Hospital to have the error rectified, but also filed, with the PTCC, the letter dated 24 April 2021, issued by the NBE, which clearly indicated the actual number of days of leave availed by the petitioner.

41. The negligence, if it can be called that, was, therefore, at the end of the NBE in not tallying the number of days of leave which was reflected on the PTCC dated 23 March 2023 issued by the Hospital with the number of leaves as reflected in the leave application dated 12 April 2021 of the petitioner which was duly sanctioned, ironically, by the NBE itself.

42. Having itself sanctioned 123 days of leaves to the petitioner, in the year 2021, and the petitioner having uploaded with the PTCC dated 23 March 2023, the letter dated 12 April 2021, whereby the NBE had sanctioned the leave, I fail to understand how the NBE can even seek to contend that the petitioner was guilty of any kind of misstatement.

43. Mr. Mathews, thereafter, refereed to an FTCC dated 30 September 2023 which is also countersigned by the petitioner and submitted to the NBEMS, which reads thus:

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“Peerless Hospitex Hospital And Research Centre Limited
360, Panchasayar, Kolkata-700094, Phone 033-40111222, 2462
2394/2462/0071-73
E-mail: ph.enquiry@peerlesshospital.com
Website: www.peerlesshospital.com
CIN: U85110WB1989PLC046938

REF : PHH/CD-AQR/NBEMS/DNB(EM)/4194/2023

Date: September 30, 2023

The Executive Director,
National Board of Examinations in Medical Sciences,
Medical Enclave, Ansari Nagar,
Mahatma Gandhi Marg (Ring Road),
New Delhi 110 029

Subject:- Furnishing of DNB Training Completion Certificate
(FINAL)

Sir,

This training completion certificate has been issued to Dr Aditya Lal Vallath Son of Mr. V.P. Datheendra Lal who was registered with National Board of Examinations in Medical Sciences w.e.f. September 09, 2020 vide Registration Number 152-45120-201 - 230419 for Three years of DNB training in the specialty of Emergency Medicine in our hospital, for the purpose of appearing in DNB Examination.

It is hereby certified that

1. He has joined the DNB course on 29.09.2020 and **HAS COMPLETED** mandatory Three years of training on 28.09.2023. But during his tenure Dr. Aditya Lal Vallat availed leave for 123 days from 25.03.2021 to 25.07.2021, which has been accepted by NBE and communicated us with a letter vide No. Regn/DNB/Post MBBS/R-23614/2020/291 Dated 12/13.04.2021 issued by the Assistant Director, Training and Monitoring Division, with an advice that “leave availed by the candidate other than the eligible leave shall lead to extension of DNB training”. **Thus his tenure of DNB training will be completed on 17th November, 2023.**

2. The leave record of the candidate is as follows:

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Year of Training (First/Second/ Third)	Period of Leave (Specify Dates of leave availed)	Nature of Leave	No. of days
First Year	25.03.2021 to 25.07.2021	Personal	123
Second Year	01.04.2022 to 05.04.2022	Personal	5
Second Year	01.06.2022 to 03.06.2022	Academic	3
Second Year	06.06.2022 to 08.06.2022	Personal	3
Third Year	10.10.2022 to 15.10.2022	Personal	6
Total number of leave availed by the candidate during his DNB training till date (Grand Total in Days)			140

14. He has appeared in the Formative Assessment Test (FAT) conducted by NBEMS and the Internal Assessment conducted by our hospital as per details mentioned below:-

Year of Training (First/Second/ Third)	Year of appearing in FAT conducted by NBEMS	Year of appearing in Internal Assessment conducted by the hospital
First Year		2021
Second Year	2022	
Third Year		2023

15. He has completed his thesis under supervision of an approved thesis guide and submitted his thesis for assessment to NBEMS on 30.06.2022.

16. He has worked during her DNB training as a resident doctor strictly in accordance with leave and other training guidelines of National Board of Examinations in Medical Sciences.

It is understood that if the details mentioned herein above are found at any stage to be incorrect/false/incomplete, he shall be declared

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INELIGIBLE for DNB Final Examination and his candidature for the same shall stand cancelled and result, if any declared, shall be treated as null and void.

Yours sincerely,

Sd/-

Prof. (Dr.) Subhrojyoti Bhowmick
Clinical Director-Academic, Quality & Research

Sd/-

Candidate's signature."

44. Mr. Mathews emphasises the concluding sentences in para 1 of the aforesaid FTCC dated 30 September 2023, which states that the petitioner's DNB training tenure would be completed on 17 November 2023.

45. Mr. Mathews' contention is that, on the face of this declaration, it cannot lie in the mouth of the petitioner to contend that he had completed his DNB training at any time prior to 17 November 2023.

46. There is no estoppel against the law, and the law, in this regard, would also encompass the terms of leave which were applicable to the petitioner. It cannot be disputed that the petitioner was entitled to exclude one weekly off and gazetted holidays from the period of his leave. When one excludes the said period, it is clear that the tenure of DNB training by the petitioner would expire on or around 22 October 2023 and not on 17 November 2023.

47. The date of 17 November 2023, in para 1 of the FTCC dated 30 September 2023 has obviously been entered by subtracting 50 days,



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instead of 23 days, from 140 days. In doing so, gazetted holidays and weekly holidays have not been taken into consideration.

48. As the petitioner is entitled, even as per his terms of employment, to exclusion of one weekly off and gazetted holidays while computing the leave available to him, the stipulation, in the concluding sentence of para 1 of the FTCC dated 30 September 2023, that the period of DNB training of the petitioner would be completed on 17 November 2023, cannot operate as estoppel against him.

49. These are the only submissions which Mr. Mathews sought to advance and, indeed, these are the only submissions on which the NBE rests its case.

Conclusion

50. In view of the fact that

- (i) the petitioner had actually availed only 23 days of leave in excess of 90 days of leave available to him and was, therefore, required to undergo additional training only for 23 days beyond 29 September 2023,
- (ii) the said period expired on or around 22 October 2023,
- (iii) the petitioner completed his training only on 31 October 2023, as was certified by the Hospital,
- (iv) the petitioner had, therefore, undergone more than the requisite extra 23 days of training so as to be entitled to issuance of FTCC,
- (v) the petitioner had, therefore, rightly been allowed to



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undertake the DNB final examination and

(vi) no allegation of misstatement or suppression of facts can be alleged against the petitioner in uploading the erroneous PTCC dated 23 March 2023,

the decision to cancel the petitioner's DNB candidature as well the result of his DNB final examination is not sustainable either on law or in facts.

51. In view of the aforesaid, the impugned order dated 30 November 2023 is quashed and set aside. The results of the DNB final examination undertaken by the petitioner shall stand restored.

52. The petitioner would also be entitled to be awarded the DNB qualification consequent thereto in accordance with law.

53. This writ petition stands allowed accordingly with no orders as to costs.

C. HARI SHANKAR, J.

FEBRUARY 14, 2024

dsn

Click here to check corrigendum, if any