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

+ LPA 478/2024 with CM APPLs. 34640/2024, 34640/2024

NATIONAL BOARD OF EXAMINATIONS Appellant

Through: Mr. Waize Ali Noor and Mr. Varun
Pratap, Advocates.

versus

DR. BHARATHI PRIYA A.M. & ANR. Respondents

Through: Ms. Jhanvi Dubey, Advocate for R-1.
Mr. Ashok Kr. Kashyap, SPC for
R-2/ UOI with Mr. Kabir Kr.
Hazarika, GP.

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

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01.06.2024

CAV 275/2024

Since appearance has been entered upon on behalf of the Respondent,
the Caveat stands discharged.

CM APPL. 34641/2024 (Exemption)

Allowed, subject to all just exceptions.

Accordingly, the application stands disposed of.

LPA 478/2024

1. Present appeal has been filed by the Appellant challenging the order dated 16th May, 2024 passed by the learned Single Judge of this Court in WP(C) 6933/2024, whereby the Respondent No.1 was allowed to appear in the Fellowship of National Board (FNB) exit examination on a provisional basis.



2. Learned counsel for the Appellant states that the learned Single Judge has erroneously allowed the Respondent No.1 to appear for the examination despite the fact that she is completing her FNB training beyond the cut-off date i.e. 30th June, 2024 prescribed for completion of training of FNB candidates.

3. Learned counsel for the Respondent, who appears on advance notice, states that the present appeal is infructuous as the FNB exit examination for Reproductive Medicine Specialty has already been held.

4. In view of the aforesaid statement as well as the fact that matter is now listed on 08.07.2024 for final disposal before the learned Single Judge, this Court disposes of the present appeal with a direction to learned Single Judge to decide the present writ petition as expeditiously as possible. It is directed that the learned Single Judge shall decide the matter on its own merits without being influenced by the observations made in the impugned order. It is clarified that the impugned order is provisional in nature and does not create any equity in favour of the Respondents. This Court further clarifies that the impugned order has been passed in the facts and circumstances of the present case and shall not be treated as a precedent.

5. With the aforesaid clarification and direction, the present appeal stands disposed of. Pending applications also stand disposed of.

ACTING CHIEF JUSTICE

MANMEET PRITAM SINGH ARORA, J

JUNE 1, 2024/PB