

D/L
Item No. 19
16.10.2025
KOLE
266313

WPA 24165 of 2025

**Mohammed Sunnyul Mallick
-Vs.-
The State of West Bengal & Ors.**

*Mr. Rittick Chowdhury,
Mr. Deb Kumar Deashi,
Mr. I. Mondal,
Mr. R. Bhowmik,*

.....for the petitioner.

*Mr. Kalyan Bandyopadhyay,
Mr. Arka Kr. Nag,*

...for the WBMCC.

*Mr. R. Chatterjee,
Mr. Srikumar Chakraborty,*

...for the UOI.

*Mr. Sangeeta Roy,
Mr. K. S. Alam,*

...for the State.

Mr. D. N. Maiti,

...for the WBUHS.

Affidavit of service filed in court today be kept with the records.

The main grievance of the petitioner is for non-consideration of the request of the rectification of inadvertent declaration of PwD status and not granting permission to participate any further rounds of counseling under the OBC category under the NEET UG 2025.

The petitioner submits that already a representation was made on 27th September, 2025 for a request for deletion of the PwD category. The same request was adhered to by the department concerned and intimated by an email dated

October 15, 2025 to the petitioner which is enumerated below:-

“This is to acknowledge the receipt of your email regarding your request to delete the PwD category from your profile and to continue as an OBC-NCL category candidate for NEET UG 2025 Counseling.

In this regard, you are informed that category change (including PwD status) after registration and verification is not permitted once the data has been verified and locked by the concerned authority. The information provided during registration and verified at the nodal centre remains final for the entire counseling process.

However, if you wish to withdraw your PwD category claim, you may submit a written representation along with valid supporting documents to the WBMCC office through email or in person for consideration before the commencement of the next round, subject to approval by the competent authority.

Please note that WBMCC reserves the right to accept or reject such requests as per counseling guidelines and verification records.”

Learned Counsel appearing for the respondents vehemently opposes and submits that as per the guidelines vide Memo No. : NFW-23099/206/2023/M/2012 dated 31.07.2025 in page 13 it indicates a clause which is reproduced below:

“The qualified and eligible candidate through NEET UG 2025 will put his/her Roll No, Application No, Name, Mothers Name, Date of birth in the New Registration click button in the on-line counseling system. If the record matches with the result handed over to the State by NTA through Ministry of Health and Family Welfare, Govt. of India, New Delhi, then the Candidate can proceed for registration. Once successful registration is completed the candidate can now complete the application process followed by payment of fee online. During the process, if by mistake candidate fills up any wrong

information there is also provision for editing the registration details using the “Registration Unlocking” button will payment is done. Once the payment is done, no unlocking of registration details is allowed.”

It also further submitted that the first and second round has been completed and at this stage it is not possible to adhere to the request of the petitioner for deletion of PwD category and allow him to participate in the counseling process in view of the guidelines, namely, Notice cum Information bulletin for NEET UG 2025 Counseling in West Bengal for Under Graduate Medical and Dental State Quota, Private College Management Quota and NRI Quota Seats 2025.

I have heard the rival contentions of the parties and considered the materials on record.

The petitioner is directed to make further representation before the respondent no. 3 and after considering the representation, the respondent no. 3 shall arrive at a logical conclusion by considering the email dated 15th October, 2025 generated by the respondent no. 4 with regard to the entitlement of the petitioner to participate in the further round of counseling upon deletion of the PwD category. The petitioner is directed to make such representation within two days and the respondent no. 3 is directed to consider the same within a period of one week from the date of submitting such representation.

In view of the aforesaid, WPA 24165 of 2025 stands disposed of.

Since affidavits are not called for, the allegations made in the writ petition are deemed not to be admitted by the respondents.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties after completion of all necessary formalities.

(Smita Das De, J.)