



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

955 WRIT PETITION NO. 4212 OF 2025

**NAMRATA SANJAY SARKATE
VERSUS
THE UNION OF INDIA THROUGH THE SECRETARY AND ANOTHER**

.....
Advocate for the Petitioner : Mr. Shridhar K. Kulkarni
Standing Counsel for Respondents/UOI : Mr. R.R. Bangar
.....

**CORAM : MANGESH S. PATIL &
Y.G. KHOBRAGADE, JJ.
DATE : 27.03.2025**

P.C. :-

1. Heard the learned advocate for the Petitioner who missed the bus on her failure to submit online application for appearing at NEET-2025.
2. Irrespective of the reasons, the issue as to whether after the last date for filling up the form online was over, a candidate can be permitted to participate in the NEET examination that too by invoking powers of this Court under Article 226 of the Constitution of India.
3. The learned advocate for the Petitioner submits that the Petitioner was not to gain anything by delaying submission of the application. She was ill. There is a certificate of the doctor and and she may

be permitted to participate by submitting the application offline or in a physical form.

4. The learned advocate Mr. Bangar who appears for the respondents strongly opposes the petition and refers to the judgment of the Supreme Court in the matter of **Vanshika Yadav V/s. Union of India & Ors. in Writ Petition (Civil) No.335/2024 decided on 02.08.2024**. He adverts our attention to para nos.70 and 78 and submits that the reopening of the window for the petitioner can be taken advantage of by many other candidates and would lead to manipulation. He submits that once the date for filling in online application is over nothing can happen. There is no provision for accepting such applications offline. It is a matter of conducting an examination at the national level and the petitioner ought to have been meticulous and punctual when the window was open for one month.

5. We have considered the rival submissions and perused the papers including the judgment in the matter of **Vanshika Yadav** (supra). In para nos.70 and 78 the scrutiny was undertaken as to if reopening of the window on couple of dates had resulted in some manipulations / malpractices which is not the case in hand. The case in hand does not call for any such inquiry since the exercise that was undertaken by the Supreme

Court was to ascertain if by reopening the window, malpractices were facilitated and affected the result of the NEET examination that was already concluded. Here the petitioner is still to appear and the examination is still to be held.

6. However, the fact remains that, re-opening of the window may hypothetically result in facilitating some malpractice, as is the apprehension expressed by the Supreme Court. Therefore, we cannot direct the window to be reopened only to enable the petitioner to participate.

7. So far as the request for accepting the petitioner's application offline is concerned, we cannot evolve a novel method which is not prescribed by the regulation. If the regulations do not permit submission of the applications in physical form, no writ of mandamus can be issued.

8. The petition is dismissed.

[Y.G. KHOBRAGADE, J.]

[MANGESH S. PATIL, J.]