

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

**INTERIM APPLICATION NO. 6593 OF 2025
IN
WRIT PETITION NO. 13072 OF 2024**

National Medical Commission

Through its Secretary

...Applicant

IN THE MATTER OF

Suyash Suryakant Patil

....Petitioner

Versus

National Medical Commission

Through its Secretary & Ors.

...Respondents

Mr. Viraj Shelatkar a/w. Ms. Kunjan Makwana i/b. Mr. Ganesh Gole for the Applicant-NMC

Ms Neha S. Bhide, Government Pleader a/w. Mr. S. B. Kalal, Assistant Government Pleader for the Respondent Nos. 2, 4 & 5

Mr. Rahul Bajaj (through VC) a/w. Mr. Taha Bin Tasneem & Mr. Shantanu Derhgawan for the Petitioner.

**CORAM : A. S. CHANDURKAR &
M. M. SATHAYE, JJ.**

DATED : 26th MARCH 2025

P.C.:

1. This Interim Application has been moved by the National Medical Commission seeking modification of the directions issued by this Court in the Writ Petition No. 13072 of 2024 (Suyash Suryakant Patil vs National Medical Commission & Ors.) dated 21/02/2025. Paragraph no. 13 of the said judgment, it has been directed as under:

“13. Hence for aforesaid reasons, the following order is

passed:-

i) In the light of quantification of petitioner's multiple disability at 58% and speech disability exceeding 40% as per Certificate dated 6th August 2024 coupled with the disability assessment of the petitioner by the NEET Disability Certification Medical Board on 23rd October 2024 holding the petitioner eligible to pursue medical education, it is held that the petitioner is entitled to pursue medical education and also seek benefit of PwD reservation.

ii) The action on the part of Government Medical College, Jalna of cancelling the petitioner's admission to the first MBBS course, 2024 for failure to produce a requisite disability certificate is set aside. It is directed that the petitioner shall be restored his admission to the first MBBS course, 2024 in the PwD category. Same be done by creating a supernumerary post.

iii) The Dean, Government Medical College, Jalna shall take necessary steps so as to enable creation of this supernumerary seat with the approval of the National Medical Commission.

iv) Rule is made absolute in aforesaid terms with no order as to costs."

2. According to the National Medical Commission, the academic session for the year 2024-25 commenced on 01/10/2024 and the period of almost 6 months has since lapsed. It is stated that to enable the Original Petitioner to pursue the entire academic course, he may be admitted in the First Year MBBS Course for the upcoming academic year 2025-2026 on the basis of the aforesaid directions.

3. The learned Counsel for the Original Petitioner consents to being admitted in the academic session 2025-2026 in the Persons With Disabilities category in accordance with the aforesaid judgment. He, however, expresses apprehension that he should not be denied admission in that session on the premise that a more meritorious candidate is required to be admitted.

4. The apprehension expressed by the learned Counsel for the Original Petitioner cannot be said to be unfounded. Thus, while accepting the request made on behalf of the National Medical Commission, paragraph no.13(ii) of the aforesaid judgment is modified by directing that the Petitioner shall be admitted to the First Year MBBS Course for the academic year 2025-26 under PwD quota. It would therefore not be necessary to create supernumerary post in that regard for the academic year 2024-25.
5. The Respondent No. 5-Dean, Government Medical College shall accordingly take steps to admit the Petitioner in the First Year MBBS Course in the academic year 2025-26 within the sanctioned strength of students. Consequently, the direction to create a supernumerary seat for academic session 2024-25 stands withdrawn.
6. With the aforesaid modification, the Interim Application is disposed of.

(M. M. SATHAYE, J.)

(A. S. CHANDURKAR, J)