

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 11863 OF 2025

Uzma Abdur Rasheed Khan. ... Petitioner.

V/s.

National Medical Commisison & Ors. ... Respondents.

Mr. Rahul Bajaj i/b. Mr. Shantanu Derhgawen, Advocate for Petitioner (through V.C).

Mr. Ganesh K. Gole, a/w. Mr. Kunjan Makwana, Advocate for Respondent No. 1.

Mr. P.P. Kakade, Addl. G.P. a/w. Ms. Nisha Mehra, AGP for Respondent No. 2/State.

Mr. Rui Rodrigues, Advocate for Respondent No. 2.

Ms. Priyanka Chavan, Advocate for Union of India.

CORAM : RAVINDRA V. GHUGE AND
ASHWIN D. BHOBE, JJ.

DATE : 26th SEPTEMBER, 2025

P.C. :

1. The learned Advocates representing National Medical Commission (NMC) and the learned Additional Government Pleader submit that they had no idea that this matter is moved today and no copy of the Writ Petition paper book running into 350 pages, was served on them. After this Court granted a circulation at 3 p.m., copy of the paper book is supplied on WhatsApp. The Counsel will have to discuss the

issue with the NMC.

2. We find that the Petitioner is before us in view of the fact that after J.J. Hospital examined her, it concluded that the candidate does not belong to PwD category. As per the affidavit submitted by the candidate dated 21.7.2025, the candidate is not using low visual aids. The certificate is dated 28.7.2025. The conclusion is that the candidate is not eligible for P.wBD Reservation. There is no dispute that the Petitioner has the UDID certificate bearing No. 2025-JUL /UDID/001193.

3. The grievance of the Petitioner is that the report generated by the J.J. Group of Hospitals has no reasons to indicate as to how the case of the Petitioner has been analysed. The Petitioner deserves to undergo a re-test. The Petitioner is willing to take the test as soon as possible before any competent designated hospital having a medical board. He further makes a request that the Petitioner's case need not be referred again to the J.J. Hospital.

4. The learned Advocate for the NMC and the Additional Government Pleader have read out the list of designated hospitals at

Nagpur, Calcutta, Delhi and Chennai etc. The learned Advocate for the Petitioner has opted for AIIMS, Nagpur and submits that the Petitioner would undergo the test on 30th September, 2025 considering that there are two holidays intervening.

5. Our attention is drawn to the Interim Guidelines on Assessment Methods for Granting Admission to the M.B.B.S Course to PwBD. candidates for the academic year 2025-2026, at page 171. The learned Advocate for the Petitioner has focused at Serial Nos. 5 and 6 for the purpose of carrying out the medical examination of the Petitioner.

6. The learned Additional Government Pleader submits that the AIIMS, Nagpur would be informed through its Dean, that the Petitioner would be presenting herself at 12.00 noon on 30th September, 2025 and undergo the necessary tests. The learned Additional Government Pleader also submits that the Dean would be apprised of the interim guidelines while making such assessments, more particularly, Serial Nos. 5 and 6, so that the Petitioner can be appropriately examined and a report could be generated.

7. In view of the above, let the Petitioner appear before the AIIMS, Nagpur at 12.00 noon on 30th September, 2025. The learned Additional Government Pleader would inform the Dean that a report may be generated and be transmitted to the office of the Government Pleader at Mumbai, via e-mail. A print of the said emailed report would then be placed before us on 3rd October, 2025 keeping in view that 2nd October, 2025 is a holiday.

8. List this Petition at Serial No. 1 on the urgent supplementary Board on 3rd October, 2025.

9. We make it clear that if we are convinced that the Petitioner can be treated as PwBD eligible to participate in the admission counselling sessions, keeping in view that the third CAP round would commence on 29th September, 2025 and would end on 8th October 2025, that we would direct the consideration of the Petitioner's candidature.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)