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

+ W.P.(C) 843/2025 and CM APPL. 4147/2025, 35675/2025,
49728/2025 and 68251/2025

DR BHARTI KHOWAL

.....Petitioner

Through: Mr. M.V. Mukunda and Mr. Mithun
Shashank, Advocates.

versus

THE NATIONAL BOARD OF EXAMINATIONS IN MEDICAL
SCIENCES & ORS.

.....Respondents

Through: Mr. Waize Ali Noor, Mr. Mrinal
Kumar Sharma, Mr. Zillur Rahman and Mr. Shashi
Suman, Advocates for R1.

Mr. T. Singhdev, Mr. Vedant Sood and Mr.
Sourabh Kumar, Advocates for R3.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

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12.11.2025

1. This writ petition is filed on behalf of the Petitioner under Article 226
of the Constitution of India seeking the following reliefs:-

*“(i) Issue a writ of certiorari quashing and setting aside Impugned
Communication dated 16.01.2025 being Ref No.Regn/23661087926/DNB
Post MBBS/2023/Relocate/88956 issued by the Respondent-National
Board of Examinations in Medical Sciences as being violative of Article
14, 16, 19 and 21 and the Guidelines of Relocation of Trainees of National
Board of Examination issued by the Respondent-NBEMS itself; AND*

*(ii) Consequently, Issue a writ of mandamus directing Respondent-
NBEMS to suitably relocate the Petitioner to a hospital in accordance with
the preferences issued by the Petitioner herein;*

AND

(iii) Alternatively, issue a writ or direction in the nature of mandamus or



any other writ, permitting the Petitioner to continue in JLNH Hospital Rainawari Srinagar, Jammu and Kashmir in accordance with Guideline No. 6 of the Guidelines of Relocation of Trainees of NBE issued by the Respondent-NBEMS;”

2. To the extent necessary, facts that emerge from the writ petition are that Petitioner took part in the NEET PG Medical Counselling 2023, where she secured All India Rank of 17554 and was eligible for seats in the Schedule Caste quota. During the third round of counselling, Petitioner filled up her preferences seeking admission in JLNH Hospital Rainawari, Srinagar, Jammu and Kashmir ('Srinagar College') as Preference No. 45 and did not seek admission in any college in West Bengal. Petitioner was given admission in Srinagar College on 27.09.2023 in third round of counselling and as per her preference and she joined the college on 04.10.2023.

3. It is averred in the petition that due to substandard conditions of study in the Srinagar College, Petitioner made a complaint on the NBEMS Portal on 22.03.2024, pursuant to which the college was de-accredited by NBEMS vide letter dated 10.07.2024. Consequently, Petitioner gave a representation on 11.11.2024 to NBEMS to relocate her as per preferences she had given earlier and in response thereto NBEMS asked her to continue her training in the same college till further directions from NBEMS. Thereafter, NBEMS issued the impugned communication dated 16.01.2025, whereby Petitioner was relocated to College of Medicine and JNM Hospital, PO Kalyani District, Nadia, West Bengal and was directed to join within 10 days after receiving relieving letter by 23.01.2025. Petitioner represented against the relocation to West Bengal College on 17.01.2025 and requested that she may be relocated to any of the 8 colleges mentioned in her representation and alternatively, if this was not possible, she be permitted to continue in the



Srinagar College. Since, the request of the Petitioner for relocation to any other college was not acceded to, Petitioner approached this Court and vide order dated 22.01.2025, operation of the impugned order was stayed by the Court with a further direction that interim order will not create any special equities in favour of the Petitioner. Interim order has continued, till date.

4. During the pendency of the writ petition additional affidavit dated 22.08.2025 was filed on behalf of NBEMS explaining the reasons why Petitioner cannot be relocated to any other college, save and accept, the West Bengal College.

5. After perusing the additional affidavit, learned counsel for the Petitioner, on instructions, submits that Petitioner is not inclined to join the West Bengal College and desires to continue in the Srinagar College and that Petitioner will furnish an undertaking to this effect in the prescribed format in terms of Proviso to paragraph 6 of “*Guidelines for Relocation of Trainees of National Board of Examinations (NBE)*”, which is extracted hereunder for ease of reference:-

“Provided, those Trainees other than Trainees of 1st Year who do not wish to be relocated upon intimation by NBE(except upon closure of the Department/Institute/Hospital or it is the opinion of NBE that relocation is necessary), shall submit an undertaking (as provided in Schedule-A of these Guidelines) to the effect that despite compelling circumstances as intimated by NBE, they still intend to continue and complete their training at their respective allocated Institute or Hospital. The undertaking must be delivered to NBE within the time prescribed in the letter/intimation to the Trainee about the decision of NBE to relocate the Trainee.”

6. Learned counsel for NBEMS/Respondent No.1, on instructions, submits that the said Respondent has no objection to the Petitioner continuing in the college of her choice and after she gives the undertaking as required under the guidelines; completes the training; and qualifies the final



examination, degree will be awarded to her.

7. In light of the stand of the Petitioner that she wishes to continue in the Srinagar College, no further order is required to be passed in this writ petition and the impugned communication dated 16.01.2025 will be treated as withdrawn. Petitioner shall furnish the requisite undertaking within two weeks from today. Stand of Respondent No.1 that on the Petitioner furnishing the undertaking, completing the training and successfully clearing the final examination, she will be awarded the degree, is taken on record.

8. It is made clear that this Court has not expressed any opinion on the merits of the legal issues raised in the present petition.

9. Writ petition along with pending applications stands disposed of in the aforesaid terms.

10. Interim order stands vacated.

JYOTI SINGH, J

NOVEMBER 12, 2025/YA