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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 10480/2025, CM APPL. 44102/2025, CM APPL.
44103/2025 & CM APPL. 43538/2025

MS. SANJANA GUPTA

.....Petitioner

Through: Mr. M.C. Dhingra, Sr. Adv. with Mr.
Zulfiqar Ali Khan, Advs.

versus

UNIVERSITY OF DELHI & ORS.

.....Respondents

Through: Mr. Mohinder Rupal, Mr. Hardik
Rupal and Ms. Aishwarya Malhotra,
Advs. for University of Delhi.
Mr. Amit Tiwari, CGSC with
Ms. Avshreya Pratap Singh Rudy,
SPC for UOI.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER
29.07.2025

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1. The present petition has been filed by the petitioner seeking direction to the respondents to either re-open the registration portal for 5% CW quota candidates (children/widows of personnel of armed forces) falling under the Priority-IV, for submission of documents for entitlement/concession for seeking direction under CW category for MBBS (undergraduate programme) under the University of Delhi.
2. The facts in brief giving rise to the present petition are that the petitioner appeared for NEET UG 2025 Examination and secured NEET AIR 393000 and OBC-NCL (Central List) Rank 181501, securing 319 out



of 720 Marks.

3. The father of petitioner who is a person from category of disabled defence personnel being boarded out on account of disability, applied for a certificate under Priority-IV on 17.06.2025, however, he was issued a Priority-VI certificate citing that the documents furnished by the father of the petitioner does not mention about attributability of disability.

4. Accordingly, petitioner's father made a representation to the Divisional Commissioner, who is head of Department having administrative control over Rajya Sainik Board, Delhi, who in turn forwarded the request to Rajya Sainik Board, but no action was taken on the said representation.

5. The petitioner again made a representation on 03.07.2025 through e-mail to the Secretary, Rajya Sainik Board for issuing Appendix-1 for Priority IV enclosing all the relevant documents, but again the same did not fetch any response. However, on 10.07.2025, petitioner was again issued a Priority-VI certificate in a new format.

6. Aggrieved by this, petitioner visited Rajya Sainik Board and was allowed to meet the Secretary. After verification of documents, petitioner's father was given a certificate for Priority-IV on 14.07.2025.

7. Mr. M.C. Dhingra, learned senior counsel appearing on behalf of the petitioner submits that by the time the Priority IV certificate was issued by Rajya Sainik Board on 14.07.2025, the portal of University of Delhi for uploading the said certificate was already closed.

8. He invites attention of the Court to the Revised Notice dated 08.07.2025 issued by University of Delhi to elaborate on his submission that University's portal for uploading the Priority Certificate to take the



advantage of CW category was open from 05.07.2025 till 11.07.2025 (up to 05.00 P.M.), whereas the Priority-IV certificate came to be issued to petitioner only on 14.07.2025.

9. He submits that petitioner's father applied for a certificate under Priority-IV on 17.06.2025, whereas it became available only on 14.07.2025. He further submits that the delay in issuance of said certificate is not attributable to petitioner, as application for such certificate had been made by petitioner's father prior to opening of window for uploading such certificate.

10. He further invites attention of the Court to the notice dated 26.07.2025 issued by MCC to contend that since last date of registration for first round of counselling has been extended from 28.07.2025 till 31.07.2025, petitioner may be permitted to upload her Priority-IV Certificate before 31.07.2025, so that she could participate in first round of counselling.

11. Mr. Mohinder Rupal, learned counsel for University of Delhi, on the other hand submits that even if petitioner is allowed by this Court to upload her Priority-IV certificate, University will have to issue a revised notice affording opportunity to other similarly situated candidates who had applied for Priority-IV and upward certificates prior to aforesaid window but were issued requisite Priority Certificate after closing of window.

12. He submits that benefit of opening window again for uploading Priority Certificate for CW quota cannot be confined only to petitioner since merit cannot be sacrificed while granting admissions to medical colleges. He places reliance on the decision of this Court in **Sandhya Kabra & Ors. v. University of Delhi, 48 (1992) DLT 524**.



13. He further submits that after issuing revised notice, University will have to send revised list to the Kendriya Sainik Board for verification of Priority Certificates. It is only after certificates are verified that final list according to Priority Certificates will be given to MCC. He, therefore, urges that process cannot be expedited by the extended date of 31.07.2025 for registration of first round of counselling. He elaborates that for verification, following process needs to be undertaken:-

- a) Creating a registration link for admission under CW quota;
- b) Downloading and printing applications uploaded on online CW portal;
- c) Priority wise segregation of uploaded applications;
- d) Convening meeting with MCAC (UG) to finalize the list for entitlement under CW Category under 85% Delhi quota;
- e) Providing list of eligible candidates to KSB, PMA Cell, MHA for Priority-V (vii and x) and WARB, MHA for remaining Priority I to V alongwith applications forms and relevant documents for verifications, as the case may be;
- f) Preparing the final list according to priority given by defence personnel;
- g) Placing the final list before MCAC (UG); and
- h) Forwarding the final list after approval of MCAC (UG) to MCC for start of counselling process and uploading of final list on the University's website for wider publicity.

14. Indubitably, petitioner in the present case had applied for issuance of Priority-IV Certificate on 17.06.2025 i.e. much prior to opening of window from 05.07.2015 till 11.07.2025. The said certificate became available to the



petitioner only on 14.07.2025. The delay in issuance of the said certificate is not attributable to petitioner, but is for the reasons as articulated by Mr. Dhingra. Therefore, this Court is of view that petitioner is ought to be extended benefit of CW category on the basis of Priority-IV Certificate issued to her on 14.07.2025.

15. At the same time, it is also well settled that while granting admissions to professional courses, merit is not to be sacrificed.¹ Therefore, while giving another opportunity to petitioner to upload her Priority IV category certificate, an opportunity needs to be afforded to other similarly situated candidates who had already applied for priority certificate prior to the opening of window from 05.07.2025 till 11.07.2025 but were issued valid Priority Certificates only after the said date.

16. Accordingly, University is directed to issue revised notice notifying the dates for re-opening the portal for uploading of Priority Certificate for CW quota for Priority-IV and upwards, within a period of five working days from today. The University is further directed to expedite the entire process so as to enable petitioner to participate in the subsequent rounds of counselling.

17. The petition along with pending applications is disposed of in the above terms.

VIKAS MAHAJAN, J

JULY 29, 2025/N.S. ASWAL

¹ Punjab Engineering College, Chandigarh vs. Sanjay Gulati and Others, (1983) 3 SCC517.