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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 169/2025**

DR. CHINMAY GUPTA

.....Petitioner

Through: **Mr.Kaustubh Sinha and Mr.Ashutosh
K.Singh, Advocates**

versus

MEDICAL COUNSELLING COMMITTEE MCC & ANR.

.....Respondents

Through: **Mr.Kushal Kumar, SPC with
Mr.Anubhav Tyagi, GP and
Mr.Suryansh Gaur, Advocates for
UOI**

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

ORDER

% **15.01.2025**

CM APPL. 2278/2025 (Early hearing)

1. By way of this application, the applicant/petitioner seeks an early hearing of the captioned petition, in view of the fact that the respondents have released the schedule of online counselling of the third round and stray round of NEET PG-2024, whereunder the deadline for registration for the third round is 12 noon on 15th January 2025 i.e. today.
2. Issue notice. Learned counsel for the respondents accepts notice and states that the an appropriate order may be passed on the application of early hearing.
3. For the sufficient cause being shown in the application, early hearing is allowed.
4. The application stands disposed of.



W.P.(C) 169/2025

1. The matter is taken up today for hearing in view of the order of even date passed in CM APPL. 2278/2025 seeking early hearing of the captioned petition.
2. Learned counsel for the petitioner submits that the Petitioner is not eligible to participate in the upcoming rounds of counselling for NEET-PG 2024 due to the impugned list released by the respondent whereunder the petitioner has been wrongly debarred. It is submitted that the registration process of the third round of counselling for NEET-PG 2024 has begun and if the petitioner is not allowed to participate in the same as well as in subsequent rounds, the present writ petition shall become infructuous.
3. Learned counsel for the petitioner submitted that the respondents had debarred the petitioner from participating in the counselling process for NEET-PG 2024, vide notice dated 20.09.2024 on account of which, he could not take part in the first round of counselling for NEET-PG 2024, despite the petitioner had appeared in NEET-PG 2024 examination. It is also submitted that though the petitioner was allotted a seat in the MM Institute of Medical Sciences and Research, Ambala, Haryana for M.D. (General Medicine) in the stray round of NEET PG-2024, he could not report to the Institute on account of severe health condition. It is submitted that in any case, the said seat was subsequently allotted to some other candidate, and therefore, there was no loss. It is further submitted, on instructions, that the petitioner shall not claim a refund of the fee deposited with the Institute. It is also submitted that since the petitioner could not report



to the Institute due to severe health conditions, therefore, he may be allowed to take part in the present round of counselling.

4. Learned counsel for the respondents submits that the petitioner was debarred on account of the specific rules. However, it is submitted that the petitioner may not be allowed to claim a refund of the fee deposited by him and prayed that an appropriate order may be passed.
5. I have considered the submissions made by learned counsel for the parties. Since learned counsel for the petitioner has stated that the petitioner could not report to the Institute due to severe health condition and that the seat was subsequently allotted to some other candidate, meaning thereby that there was no loss of the seat. Learned counsel for the petitioner has also undertaken, on instructions, that the petitioner shall not claim a refund of the fee deposited with the Institute.
6. In view thereof, without making the present case a precedent and taking into account the peculiar facts and circumstances, the petitioner is allowed to register for the third round of NEET PG-2024 in accordance with the rules. It is reiterated that the present case may not be treated as a judicial precedent.
7. With the aforesaid direction, the instant petition stands disposed of.
8. Copy of the order be given *dasti* under the signatures of the Court Master.
9. The date already fixed i.e. 24.01.2025 stands cancelled.

DINESH KUMAR SHARMA, J

JANUARY 15, 2025/Dy/ht..