CGHC010422982026 2026:CGHC:45061-DB

**NAFR**

**HIGH COURT OF CHHATTISGARH AT BILASPUR**

**WPC No. 5413 of 2026**

- Khyati Baghel D/o Shri Kanak Kumar Baghel Aged About 20 Years R/o Ward, No. 27, Keshar Nagar Rajnandgaon, District Rajnandgaon Chhattisgarh.

**... Petitioner**

**versus**

1. The State Of Chhattisgarh Through- The Secretary Department Of Health And Family Welfare, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nawa Raipur Chhattisgarh.
2. The Dirctor Cum -Chairam Directorate, Of Medical Education Swasthya, Bhawan, Atal Nagar Naya Raipur, District Raipur Chhattisgarh.
3. The Commissioner, Medical Education Chhattisgarh, And President Of Counseling Committee, Directorate Medical Education Chhattisgarh. Swasthya, Bhawan, North Block, Sector-19, Atal Nagar, Naya Raipur District Raipur Chhattisgarh.

**... Respondents**

| | | |
|---|---|---|
| For Petitioner | : | Mr. Roop Ram Naik, Advocate. |
| For State/Respondents | : | Mr. Shashank Thakur, Addl. A.G. |

**Hon'ble Shri Krushna Ram Mohapatra Chief Justice &**

**Hon'ble Shri Justice Santosh Sharma**

**Order on Board**

***Per Krushna Ram Mohapatra, Chief Justice***

**26/10/2026**

1. Heard.

2. This writ petition has been preferred by the petitioner under Article 226 of the Constitution of India, seeking following reliefs:-

*"**10.1** That, this Hon'ble Court may kindly be*

DEEPTI JHA Digitally signed by DEEPTI JHA

*pleased to issue appropriate writ(s)/direction(s)/order(s) to quash/set-aside the Chhattisgarh NEET-UG (MBBS/BDS) 2026 Provisional Allotment List Round/counselling-2 to the extent the vacant Reserved Category seats, which has been converted/transferred into other Quota / Unreserved seats at Shri Balaji Institute of Medical Science, Mowa, Raipur (Which has been issued on 14.09.2026 through Online);*

***10.2** That, this Hon'ble Court may kindly be pleased to issue an appropriate writ, order, or direction in the nature of Writ of Mandamus directing Respondent authorities to reconsider the allotment of Round-2 counselling in accordance with Rule of the Chhattisgarh Medical, Dental & Physiotherapy Under Graduate Admission Rules, 2025, and consequently allot a MBBS seat to the petitioner under the Reserve Category at Shri Balaji Institute of Medical Science, Raipur or any other college as per merit and choice-filling application;*

***10.3** That, this Hon'ble Court may kindly be pleased to pass any appropriate orders / directions in favour of the petitioner looking to the facts and circumstances of the case and also coast of case."*

**3.** Learned counsel for the petitioner submits that the petitioner appeared in NEET – UG (MBBS / BDS) Examination, 2026. Petitioner has applied under SC Category and has secured 267 marks in the entrance examination. In the first round of counselling, petitioner had applied for government quota seat in different medical colleges, out of which she was allotted seat in Shri Shankarachaarya Institute of Medical Science Junwani, Bhilai (C.G.). But for personal inconvenience, she opted for free exit and did not take admission in the said college. She again participated in the second round of counselling, but was unsuccessful in getting any seat in SC category under government quota. Thereafter, the petitioner

participated in the third round of counselling and faced the same consequences.

It is alleged by the learned counsel for the petitioner that during the second round of counselling, some of the management quota seats were converted to UR category, which is not permissible in terms of Rule 8 (1) of the Chhattisgarh Medical, Dental & Physiotherapy Under Graduate Admission Rules, 2025 (for brevity Rules, 2025). It is his submission that if any unfilled seats remains vacant after second round of counselling, then the said seats could only be converted to unreserved category. In the instant case, the management quota seat was converted to UR category in the second round of counselling itself, which is *de hors* the rules. He further submits that after the second round of counselling, SC quota seats were available, but the petitioner was not considered in third round of counselling to be allotted a seat in government quota / management quota. Hence, finding no other alternative, this writ petition has been filed.

**4.** Mr. Thakur, learned Additional Advocate General on instructions submits that the petitioner had never applied for management quota seats in the initial two rounds of counselling. Thus, conversion of any management quota seat to UR category is not a matter of consideration in the present writ petition. The petitioner has not challenged her non-selection in the third of round of counselling. Accepting the result of the second round of counselling, she has participated in the third round of counselling, but failed to get admission in any Medical College either in government quota or in management quota. Thus, the present writ petition is not maintainable. The writ petition is also devoid of any merit, hence the same is liable to be dismissed.

**5.** Taking note of the submission made by the learned counsel for the parties and on perusal of the Rule 8(1) of the Rules, 2025, it is clear that in case of non-availability of candidate of any reserved category for the remaining seats in any reserved category after allotment in second round of counselling, those seats will be converted / transferred as per the provisions of Chhattisgarh Educational Institution (Pravesh Me Reservation) Adhiniyam, 2012. In the instant case, the petitioner was allotted a seat in government quota in Shri Shankarachaarya Institute of Medical Science Junwani, Bhilai (C.G.) in the first round of counselling. But for the reasons best known to her, she opted for free exit from taking admission in the said college. The petitioner had never applied for management quota till completion of the second round of counselling. Thus, conversion of any management quota seat to unreserved category does not prejudice the petitioner in any manner. As such, question of conversion of management quota seat will only be academic for consideration in the present writ petition, as the petitioner had never applied for management quota seat till completion of the second round of counselling. It is more so because of the fact that the petitioner had never complained of the result of the second round of counselling and participated in third round of counselling without any objection. Having failed in the third round of counselling, the petitioner has come up with the present writ petition.

**6.** Upon hearing learned counsel for the parties and on perusal of the record, it further appears that the petitioner has not produced any document to establish that any reserved category seat in government quota was converted to UR category during the second round of counselling. By making a bald allegation that reserved category seat was converted to

unreserved category in the second round of counselling without any document in support of the same holds no water.

7. Further perusal of the record reveals that the petitioner did not obtain the qualifying marks in the second round of counselling under SC category as the cut-off marks in the SC category in the second round of counselling was much higher than the marks secured by the petitioner. On a cumulative assessment of the facts and circumstances of the case as stated above, we find no merit in the writ petition. Accordingly, the writ petition being devoid of merit stands **dismissed**.

**Sd/-**
**(Santosh Sharma)**
**Judge**

**Sd/-**
**(Krushna Ram Mohapatra)**
**Chief Justice**

*Deepti Jha*