

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 2064 OF 2026

Kaustubh Prakash Ayre ...Petitioner
Versus
Union of India, Thr Its Secretary And Ors. ...Respondents

Ms. Pooja Thorat a/w Ms. Rufiya Iqbal for the Petitioner.
Mr. Rui Rodrigues a/w Aalekh Wagh for Respondent Nos.1, 2 and 3.
Smt. Pooja Patil, AGP for the Respondent – State.

**CORAM : R. I. CHAGLA AND
ADVAIT M. SETHNA, JJ.**

DATED : 16th FEBRUARY, 2026

P.C.:-

1. Pursuant to the order dated 12 February 2026, Respondent No. 4 has submitted the Reports/Certificates of disability in sealed cover which is opened by us in Court today. The Reports/Certificates of disability dated 12 February 2026 confirms the case pleaded by the Petitioner and reveals that they suffer a physical disability viz. Locomotors Disability, making them eligible for the PwD quota of medical course. The said Reports / Certificates of disability are taken on record and marked '**X colly.**' for identification and copies thereof are provided to the Petitioner.
2. Petitioner belongs to Open (PwD) category. He suffers from Locomotors Disability calculated at 45% as stated in the said Report.
3. The Petitioner is desirous of pursuing Post Graduate Medical Course

and appeared for the National Eligibility Cum Entrance Test, i.e. NEET-PG-2025 for All India Quota.

4. The Petitioner scored 195 marks out of 800 marks in NEET-PG-2025. As per the Circular issued by National Board of Examination, the qualifying marks for being eligible for NEET-PG-2025 was 235. The Petitioner was short of the requisite marks and were thus, not eligible for participating in the admission process.

5. The Petitioner was issued disability certificate only after the admission process of NEET-PG-2025 and therefore, could not have filled the examination forms under PwD quota/category.

6. In view thereof, the Petitioner having got eligible in view of Circular dated 13th January 2026, applied to the office of Respondent MCC and requested them to consider the Petitioner eligible under PwD quota, so that he may get benefit of the said Circular for lowering eligibility criteria.

7. We have considered the case of the Petitioner as well as the said Report/Certificate issued by Respondent No. 4, pursuant to the order dated 12 February 2026. Respondent No. 4 being one of the designated disability centers for assessing the percentage of Locomotors Disability has submitted favourable Reports for the eligibility of the Petitioner for PwD quota for Post Graduate Medical Course. Accordingly, we consider it appropriate to pass the following order, which should meet the ends of justice:-

- (i) Respondent No.2-MCC is directed to permit the Petitioner to

change their category and fill application forms from Open to Open (PwD) category by opening the portal for the Petitioner for making the said change and/or for making the claim to the Post Graduate Medical seat under the aforementioned category.

- (ii) Respondent No.4 is directed to upload the PWD certificate on the online portal of Respondent No.2 – MCC.
- (iii) It is further directed that the Respondent No. 2 - MCC shall consider the Petitioner under the aforementioned category as per the *inter se* merits.
- (iv) It is clarified that all other compliances will have to be done as required by the Respondent No. 2 - MCC.

8. Writ Petition is disposed of in the aforesaid terms. There shall be no order as to costs.

9. All parties shall act on authenticated copy of this order digitally signed by the P.A./P.S. of this Court.

[ADVAIT M. SETHNA, J.]

[R.I. CHAGLA, J.]