APHC010571022026

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

Bench Sr.No:-1
[3584]

WRIT PETITION Nos.31189 & 31313 OF 2026

W.P.No..31189 of 2026

Badugu Moulika, ...Petitioner

Vs.

The State of Andhra Pradesh and Others ...Respondent(s)

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W.P.No.31313 of 2026:

Sri Rishitha Gavadakatla …Petitioner

Vs.

The State of Andhra Pradesh & Ors. ...Respondent(s)

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CORAM : THE CHIEF JUSTICE LISA GILL
SRI JUSTICE CHALLA GUNARANJAN

DATE : 5th November, 2026

Present:

Advocate for Petitioners: MR. TAGORE YADAV YARAGORLA (W.P.No.31189 of 2026); MR.R.YELLA REDDY (WP NO.31313 OF 2026)

Advocate for Respondents: ASST. GOVT. PLEADER FOR MEDICAL, HEALTH AND FAMILY WELFARE; MRS.TATA VENKATA SRIDEVI, Standing Counsel For Dr.NTR University of Health Sciences; and MR.VIVEK CHANDRA SEKHAR S. STANDING COUNSEL FOR NMC.

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COMMON ORDER: (per Hon'ble Sri Justice Challa Gunaranjan)

Issues raised in both these writ petitions, since are interconnected and concern admissions to MBBS Under-Graduate courses, with consent of learned counsels appearing for parties, the same are taken up for consideration and disposed by this common order.

2. Ms.B.Moulika, petitioner in W.P. No.31189 of 2026, secured an All India Rank of 5,36,055 in NEET UG, 2026, and she belongs to Scheduled Caste category. Ms.G. Sri Rishitha, petitioner in W.P.No.31313 of 2026, secured an All India Rank of 4,52,463, and she belongs to BC-D category. Both of them could not secure admission in initial rounds of admissions.

3. 2nd Respondent University issued notification, dated 22.10.2026, notifying Stray Round of web-based counselling for undertaking admission into leftover management quota (Category B1, B2) seats and NRI lapsed category seats in private unaided non-minority and minority medical colleges, and new Government/Private non-minority and minority medical colleges, respectively.

4. Ms. B. Moulika, petitioner in W.P. No. 31189 of 2026, participated in web counselling and she was allotted provisional admission in Government Medical College, Vizianagaram. The notification envisaged payment of requisite fee, i.e.,₹20,00,000/- in present case, and also to report at allotted college on or before 8:00 PM on 24.10.2026. B. Moulika

could not pay requisite fee, though she stated to have physically reported at the college within time specified with a request for extension of time in view of intervening banking holidays. As her request was not considered, and the seat was treated to be unfilled and further steps were being initiated for filling up of the same, she preferred W.P. No.31189 of 2026.

5. This Court, by interim order, dated 26.10.2026, permitted B.Moulika to deposit fee before 5:00 PM, and in which event 2nd respondent University was directed to consider the same for the purpose of granting admission.

6. In pursuance to said direction, fee was paid and 2nd respondent University accordingly granted her admission. Interregnum, 2nd respondent had published list of candidates not reported in pursuance to first stray round web counselling, which figured name of B.Moulika. The seats which were offered to NRI category, since were not filled up, 2nd respondent University had converted the same, in particular seat which is subject matter in the present case, to that of self-financing under B2 category, and the same was notified under Stray Round-2 of web counselling.

7. Ms.G.Sri Rishitha, petitioner in W.P. No.31313 of 2026, participated in said web counselling and she was issued provisional allotment order granting admission at Government Medical College, Paderu. As per the said notification, she had made security deposit of ₹3,00,000/- and also

paid registration fee of ₹31,000/- for participating in web counselling. However, when she reported at the college on 26.10.2026 along with requisite fee of ₹12,00,000/- per annum by way of cheques, along with original study certificates, etc., it is stated that she was refused admission on the ground that 2nd respondent University issued revised college-wise allotment list of candidates concerning Stray Round-2 web counselling, dated 26.10.2026, deleting her name. Upon inquiry, she is stated to have been informed that her name had been deleted in view of admission granted to B. Moulika at Government Medical College, Vizianagaram. Therefore, she chose to challenge the said revised college-wise allotment list by filing W.P. No.31313 of 2026.

8. Heard Mr.Tagore Yadav Yaragorla, learned counsel for petitioner in W.P.No.31189 of 2026; Mr.R.Yella Reddy, learned counsel for petitioner in W.P.No.31313 of 2026, and learned Assistant Government Pleader for Medical, Health and Family Welfare for respondent No.1; Mrs.T.V.Sridevi, learned Standing Counsel for Dr.NTR University of Health Sciences, appearing for respondents 2 and 3; and Mr.Vivek Chandra Sekhar S., learned Standing Counsel for NMC-6th respondent.

9. Learned counsel for B.Moulika, petitioner in W.P.No.31189 of 2026, submits that in view of interim order, dated 26.10.2026, B.Moulika had deposited requisite fee of ₹20,00,000/- before the Principal, Government Medical College, Vizianagaram, thus, accepting the same, she had been

granted admission and is currently attending to classes. He further submits that the writ petition may be disposed of accordingly.

10. Learned Standing Counsel for 2nd respondent University does not deny the said position and, in fact, affirms that admission has been granted and that she is presently attending to classes.

11. Learned counsel for G.Sri Rishitha, petitioner in W.P. No.31313 of 2026, however, contended that admission granted in favour of his client has been arbitrarily withdrawn by issuing revised college-wise allotment list depriving her admission though she was in compliance of conditions envisaged in Stray Round-2 web counselling notification. He further contended that neither any notice was given nor reasons furnished for refusing admission despite complying with all requirements, including that of being ready with tuition fee. He further contended that B.Moulika, petitioner in W.P.No.31189 of 2026, since had not paid fee on time as specified under the notification, as a natural corollary, the seat has been re-notified for admission under Stray Round-2 web counselling, thus, for no fault of his client, admission cannot be denied. He, therefore, sought to rely on principles enunciated by Hon'ble Apex Court in **S.Krishna Sradha v. State of Andhra Pradesh**[1] to make out an exceptional case for protecting interest of his client.

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[1] (2020) 17 SCC 465

12. Learned Standing Counsel appearing for 2nd respondent University, opposing the said submission, contended that once admission has been granted to B. Moulika, as a consequence and order of merit, seat which was last occupied by a candidate who has been granted provisional admission has to be withdrawn, thus, revised college-wise allotment list, dated 26.10.2026, which deleted last meritorious candidate, i.e., petitioner in W.P. No.31313 of 2026, is in accordance with admission regulations and does not suffer from any illegality. It is further contended that since admission was given on provisional basis, the same by itself would not confer any right, particularly when no *mala fides* attributed and procedural infirmity is pointed out, thus, the case on hand, by no stretch of imagination, can be said to be exceptional in nature for applying the principles laid down by Hon'ble Apex Court in **S. Krishna Sradha**[1]. Thus, pleaded for dismissal of the writ petition.

13. We have given our anxious consideration to the submissions made above and gone through the record carefully.

14. Ms.B. Moulika definitely is more meritorious compared to Ms. G. Sri Rishitha. Mr.B. Moulika, approached this Court being aggrieved by insufficient time provided for paying the fee and reporting at college allotted along with all original certificates, provisional allotment order etc.

15. This Court, on 26.10.2026, passed the following order:

> "Learned counsel for petitioner submits that a seat in MBBS Course for academic year 2026-27 was allotted to petitioner in stray round on 23.10.2026 and allotment order was uploaded at 11.30 p.m., on said date requiring petitioner to report to college by 08.00 p.m. on next day i.e., 24.10.2026 along with provisional allotment order, all original certificates, requisite fee, etc.
>
> Petitioner reported to college along with documentation but demand draft could not be produce, as all banks were closed on 24.10.2026. Petitioner could not carry out online transfer of amount due to limits, which did not permit transfer of Rs.20 Lakhs. The amount is reflected to be available in the bank account. Petitioner has demand draft available with her today.
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> Learned counsel for respondents submits that in case amount is deposited today itself by 5.00 p.m., University shall consider same, however, this should not be treated as a concession in respect of two other candidates referred to in this writ petition, who have not downloaded their allotment orders or approached this Court.
>
> Needless to say, this order shall not come to the aid of such candidates, who are not before us.
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> At request, adjourned to 28.10.2026."

16. When the matter was listed on 28.10.2026, it has been informed that Ms.B. Moulika has complied with the interim order and she had been granted admission.

17. That being so, 2nd respondent University, having treated the seat provisionally allotted in favour of B. Moulika as not reported, and after converting the same to self-financing B2 category seat, re-notified it for admission under Stray Round-2 web counselling, where it was

provisionally allotted in favour of Ms.G. Sri Rishitha, petitioner in W.P.No.31313 of 2026. Thereafter, when G. Sri Rishitha tried to report at Government Medical College, Paderu, on 26.10.2026, she was refused to be admitted, obviously having regard to issuance of revised college-wise allotment list of Stray Round-2 web counselling, which excluded her name. This was a consequence and cascading effect on account of B.Moulika being admitted at Government Medical College, Vizianagaram.

18. Learned Standing Counsel for 2nd respondent University brought to our notice that there are about eight candidates between B. Moulika and G. Sri Rishitha, who have secured admissions at Government Medical College, Vizianagaram and Paderu. B.Moulika, since was allowed admission at Vizianagaram, the last candidate amongst aforesaid lot on the basis of merit being G.Sri Rishitha, had to give way.

19. One significant aspect that requires to be taken note of is that only on account of B. Moulika, who is higher in merit, since was refused admission at Government Medical College, Vizianagaram, a window of opportunity opened, which resulted in G. Sri Rishitha securing provisional admission at Government Medical College, Paderu, in the order of merit. It is not the case of G. Sri Rishitha that she otherwise is more meritorious and thereby denied admission in Stray Round-2 web counselling.

20. Thus, we are unable to persuade ourselves to treat the case of G. Sri Rishitha as exceptional in nature for applying principles enunciated by Hon'ble Apex Court in **S. Krishna Sradha**[1].

21. 2nd respondent University has placed on record notification issued for filling up further left-out seats under special stray Round web counselling, which provides a further opportunity, *albeit,* for NRI category seats. Ms.G. Sri Rishitha was merely granted provisional admission order. Therefore, she cannot claim any vested right as such. The process of medical admissions is dynamic in character, multiple counsellings would be undertaken in order to ensure a fair and reasonable opportunity to all eligible candidates without compromising on merit. Therefore, given the facts and circumstances, we do not find any procedural impropriety or violation.

22. Be that as it may, since Ms.G. Sri Rishitha has already made security deposit of ₹3,00,000/- besides paying processing fee of ₹31,000/-, we direct 2nd respondent University to treat the same as deposit for the purpose of allowing her to participate in special stray round counselling or any further counselling, if any, to be held for current academic year.

23. In case Ms.G.Sri Rishitha is not willing to participate in any of aforementioned counsellings, given the peculiar facts and circumstances, as she is not at fault, 2nd respondent University is directed to refund

security deposit of Rs.3,00,000/- and processing fee of Rs.31,000/- within four weeks from the date of receipt of a copy of this order.

24. Aforesaid direction for refund is issued keeping in view peculiar facts of the case, thus, the same shall not be treated as precedent.

25. With the above observations, these writ petitions are disposed of. No order as to costs.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

LISA GILL, CJ **CHALLA GUNARANJAN, J**

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