IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)

THURSDAY, THE TWELFTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE THE ACTING CHIEF JUSTICE P.SAM KOSHY
AND
THE HONOURABLE SRI JUSTICE SUDDALA CHALAPATHI RAO

WRIT PETITION NO: 38126 OF 2026

Between:

D.Parvesh Raj, S/o J.Darma Raj, Aged 19 Years, Occupation Student, R/o H.No 5-2-72/1, Yapral Village, Alwal, Hyderabad-500087.

...Petitioner

AND

1. Union of India, Rep by its Secretary, Ministry of Health and Family Welfare, Nirman Bhavan, New Delhi.
2. The Medical Counselling Committee, Through its Director, Directorate General of Health Services, Nirman Bhavan, New Delhi.
3. The National Board of Examination, through its Director Medical Enclave, Ansari Nagar, Ring Road, New Delhi.
4. The State of Telangana, Represented by its Chief Secretary, Health, Medical and Family welfare, Secretariat, Hyderabad.
5. The State of Teiangana, Represented by its Principal Secretary, Health, Medical and Family welfare, Secretariat, Hyderabad.
6. M/s. Kaloji Narayana Rao University of Health Sciences (KNRUHS), Rep. by its Registrar, Warangal, Telangana State.

...Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of writ of Mandamus Directing Respondent Nos-2 and 6 to allot petitioner MBBS seat under PwBD category, vide Roll No 4219104109, Application No 260410199036, NEET ALL INDIA RANK-916121 on Par under the Stray Round Counselling, Dated 22-10-

2026 and Special Stray Round Dated 6-11-2026 in accordance with the Rules of National Medical Commission

Counsel for the Petitioner: SRI. DARVESH ANISHWAR RAO, REP. FOR M/S JMS LAW FIRM, ADVOCATES AND ASSOCIATES

Counsel for the Respondent Nos. 1 to 3: SRI. S. SUNIL, SENIOR SC FOR CENTRAL GOVERNMENT

Counsel for the Respondent Nos. 4 & 5: MR. TANDRA RAMESH, AGP FOR MEDICAL HEALTH AND FAMILY WELFARE DEPARTMENT

Counsel for the Respondent No.6: SRI T. SHARATH, SC FOR KOLOJI NARAYANA RAO UNIVERSITY OF HEALTH SCIENCES

The Court made the following ORDER:

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HON'BLE THE ACTING CHIEF JUSTICE P.SAM KOSHY
AND
THE HONOURABLE SRI JUSTICE SUDDALA CHALAPATHI RAO

WRIT PETITION No.38126 OF 2026
(CNR No.HBHC010787532026)

Dated: 12.11.2026

Between:

D. Parvesh Raj

...Petitioner

AND

Union of India, Rep. by its Secretary,
Ministry of Health and Family Welfare,
Nirman Bhavan, New Delhi and 5 others

...Respondents

ORDER: *(per the Hon'ble the Acting Chief Justice P.Sam Koshy)*

Heard Sri Darvesh Anishwar Rao, learned counsel representing M/s. JMS Law Firm, Advocates and Associates, learned counsel for the petitioner, Sri S. Sunil, learned Senior Standing Counsel for Central Government, appearing for respondent Nos.1 to 3, Sri Tandra Ramesh, learned Assistant Government Pleader for Health, Medical and Family Welfare Department, appearing for respondent Nos.4 and 5 and Sri T. Sharath, learned Standing Counsel for Kaloji Narayana Rao University of Health Sciences, appearing for respondent No.6.

2. The present is the third round of litigation. The first round of litigation was one in W.P.No.32010 of 2026 decided on 23.09.2026. This Court disposed of the said Writ Petition with liberty to the petitioner to prefer a representation to respondent No.6-University and respondent No.6-University, in turn, was directed to decide the same in accordance with law and pass a reasoned order before the next counselling. Subsequently, the petitioner preferred yet another Writ Petition i.e., W.P.No.35657 of 2026, which came up for consideration on 16.10.2026, wherein after hearing the submissions made by both the parties, this Bench has disposed of the said Writ Petition directing the respondents to permit the petitioner to participate in the counselling and he be considered against any of the existing vacancies or left over vacancies under the PwBD category, which may still arise or which is still vacant.

3. Today, learned counsel for the petitioner has come up with the present third Writ Petition stating that for want of vacancies in the category to which the petitioner belongs, he could not get admission. He has produced certain documents, which would reflect that there are some stray vacancies, which have since arisen and are being put for counselling and are likely to get filled either today or tomorrow. He makes a request for considering the petitioner against any of these stray vacancies that have

now arisen at the last phase of counselling, subject to the petitioner meeting the eligibility criteria of the category to which the vacancy has fallen.

4. Learned Standing Counsel for respondent No.6-University, however, submits that from the pleadings it appears that the petitioner was earlier offered a BDS course, which he did not avail and therefore, under G.O.Ms.No.125, dated 22.09.2022, the petitioner has lost his chance of getting admission again rather going by the strict sense of said Government Order, the petitioner may be even barred from participating in further admission process for a couple of years.

5. Be that as it may, since there are two Writ Petitions which the petitioner has preferred and which were disposed of permitting the petitioner to be considered and now there are certain stray vacancies still available for BDS course, subject to the petitioner having opted for BDS course as well along with MBBS course and subject to the petitioner falling in the category to which the stray vacancies have arisen and also subject to the petitioner being a meritorious candidate in the category to which he is claiming from among the candidates, who are available for admission for the stray vacancies that have arisen, respondent No.6-University may consider the case of the petitioner and take appropriate steps in accordance

with law. We make it clear that consideration of the petitioner would be strictly after due scrutiny of his application form in respect of whether he has applied for the BDS course and also whether he falls in the category to which the vacancy exists.

6. With the above observations/directions, the Writ Petition is disposed of. There shall be no order as to costs.

Miscellaneous applications, if any pending, shall stand closed.

SD/- L. USHA RANI
ASSISTANT REGISTRAR

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SECTION OFFICER

To,

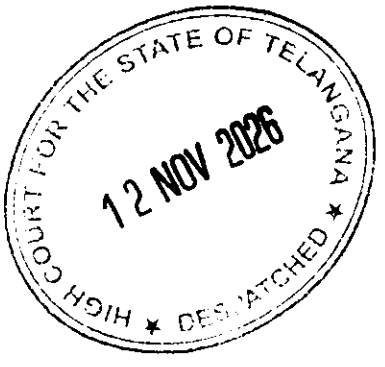
1. The Secretary, Union of India, Ministry of Health and Family Welfare, Nirman Bhavan, New Delhi.
2. The Medical Counselling Committee, Through its Director, Directorate General of Health Services, Nirman Bhavan, New Delhi.
3. The National Board of Examination, through its Director Medical Enclave, Ansari Nagar, Ring Road, New Delhi.
4. The Chief Secretary, Health, Medical and Family welfare, Secretariat, State of Telangana. Hyderabad.
5. The Principal Secretary, Health, Medical and Family welfare, Secretariat, State of Teiangana, Hyderabad.
6. The Registrar, M/s. Kaloji Narayana Rao University of Health Sciences (KNRUHS), Warangal, Telangana State.
7. One CC to M/S. JMS LAW FIRM ADVOCATES AND ASSOCIATES [OPUC]
8. One CC to SRI TANDRA RAMESH, AGP FOR MEDICAL HEALTH AND FAMILY WELFARE DEPARTMENT Advocate [OPUC]
9. One CC to SRI T. SHARATH, S.C. FOR NARAYANA RAO UNIVERSITY OF HEALTH SCIENCES [OPUC]
10. One CC to SRI. S. SUNIL, SENIOR SC FOR CENTRAL GOVERNMENT [OPUC]
11. Two CD Copies

AGK
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HIGH COURT

HAC, J
&
SCR, J

DATED: 12/11/2026



ORDER

WP.No.38126 of 2026

DISPOSING OF THE WRIT PETITION

WITOUT COSTS

13
12/11/26