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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 4914/2026 & CM APPL. 24081/2026**

DR. AZHAR ALI SHEIKH

.....Petitioner

Through: Mr. Tashriq Ahmad and Ms. Farzeen Iqbal, Advs.

versus

UNION OF INDIA AND ORS.

.....Respondents

Through: Mr. Rajeev Kumar, SPC & Mr. Sambhav Sharma, Government Pleader for R-1 and 2.
Ms. Laavanya Kaushik & Ms. Khyaati Bansal, Advs. for R-1.
Mr. Bishwabandhu (Standing Counsel), Mr. Bipul Kumar & Ms. Nisha, Advs. for R-3.

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

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15.04.2026

1. This is a writ petition filed under Article 226 of the Constitution of India seeking the following prayers:-

“a). Issue a writ of Mandamus or any appropriate writ directing the Respondents to permit the Petitioner to join the Post Graduate Course (MD Medicine) pursuant to the seat allotted to him at Gouri Devi Institute of Medical Sciences and Hospital and to accept his admission fees by completing all requisite formalities...”

2. The brief facts of the case are that the petitioner is a qualified MBBS Doctor, who appeared for NEET-PG 2025 examination in pursuance of which a seat was allotted to him in MD (Medicine) at Dr. Gauri Devi



Institute of Medical Sciences & Hospital, through state counselling conducted by the respondent No. 4 namely, West Bengal Medical Counselling Committee, the result of the same was declared on 16.02.2026 and the last date of reporting at the allotted institute was fixed as 21.02.2026.

3. However on 20.02.2026, the father of the petitioner met with a grave and unforeseen accident, where his vehicle caught fire. It is for this reason, the petitioner could not report within the stipulated timeline i.e., before 21.02.2026 and hence the present petition been filed.

4. For the said reasons, issue notice.

5. Mr. Kumar, learned counsel accepts notice on behalf of the respondent Nos. 1 and 2. Ms. Kaushik, learned counsel accepts notice on behalf of the respondent No. 1. Mr. Bipul Kumar, learned counsel accepts notice on behalf of the respondent No. 3.

6. There is nobody appearing on behalf of the other respondents. However, in view of urgency the matter is being taken up for hearing.

7. Mr. Ahmad, learned counsel for the petitioner, states that the petitioner is a meritorious student and has secured admission in the aforesaid institute through valid selection process and was unable to join the institute only on account of his father meeting with a grave accident.

8. Mr. Ahmad, learned counsel, had drawn my attention to Annexure P-6, which is the notification dated 07.04.2026 issued by the National Medical Commission extending the date for online submission of information relating to admissions to 15.04.2026 and states that today is the last date for admission. Which is denied and disputed by the learned counsels for respondent Nos. 1 and 2.



9. He also draws my attention to Annexure P-7, which is an email stating that the seat allotted to the petitioner is still lying vacant.

10. I am of the view that in the present case, the seat allotted to the petitioner was through the West Bengal Medical Counselling Committee at the respondent No. 5 institute i.e., Gauri Devi Institute of Medical Sciences, which is a Hospital situated in West Bengal. Additionally, the petitioner is aggrieved by the action of West Bengal Medical Counselling Committee and Gauri Devi Institute of Medical Sciences in not granting the petitioner his allotted seat.

11. In this view of the matter, this Court will not have the territorial jurisdiction to entertain the present petition as the seat was allotted by the West Bengal Medical Counselling Committee at an institute which is also situated in the State of West Bengal. Thus, the cause of action for the present petition lies within the State of West Bengal.

12. Accordingly, the petitioner is at liberty to approach the Hon'ble High Court at Calcutta seeking the appropriate remedy.

13. The petition is disposed of in the aforesaid terms, along with pending applications, if any.

14. *Dasti.*

JASMEET SINGH, J

APRIL 15, 2026/NG