

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION NO. 7436 OF 2024

(Kalyani s/o Vijay Chakrawar vs. All India Institute of Medical Sciences and another)

*Office Notes, Office Memorandum of Coram,
appearances, Court's orders of direction,
and the Registrar's orders.*

Court's or Judge's order

Mr. A.A.Kathane, Advocate for the petitioner.
Mr. N.S.Deshpande, DSGI for respondents.

CORAM : ABHAY J. MANTRI, JJ.

DATE : DECEMBER 27, 2024

Heard.

Mr. Kathane, the counsel for the petitioner, submitted that the petitioner is challenging Rule Nos. 3.2.2(i) and 3.2.2(ii) of the counselling rules as they are unreasonable and disproportionate. Also, they violate the petitioner's fundamental right to take admission to respondent No. 2 Institute. He further submitted that the petitioner's All India rank is 119 in the examination. The petitioner participated in the counselling round conducted by respondent No.1 for admission and allotment of the seat. However, her flight was missed, and therefore, she will be held ineligible for participating in further rounds of seat allocation.

2) He further argued that the missing of the petitioner's flight was an unforeseen incident for that she should not suffer, and therefore, he has prayed for a grant of interim relief to permit her to participate in further rounds of counselling with the respondents.

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3) Mr. N.S. Deshpande, learned Deputy Solicitor General of India, is present. He is requested to accept the notice on behalf of the respondents.

Learned DSGI further requested to take instructions from the respondents in that regard. List the matter on **31/12/2024** for consideration of granting interim relief.

(ABHAY J. MANTRI, J.)