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* IN THE HIGH COURT OF DELHI AT NEW DELHI

Date of decision: 07.01.2026

+ W.P.(C) 12514/2025 &, CM APPL. 68253/2025, CM APPL.
78409/2025

HARSHIT AGRAWAL

.....Petitioner

Through: Mr. Anuraag Mehta, Mr. Ganga Sagar Singh, Mr. Ashish Kumar Chaurasiya, Mr. Adarsh Verma, Advs.
Mr. Ashish Kumar Chaurasiya, Mr. Ganga Sagar Singh, Mr. Anurag Mehta, Mr. Anjana Devi,

versus

NATIONAL TESTING AGENCY AND ORS.

.....Respondents

Through: Mr. Abhay Mani Tripathi, Ms. Monika Tiwari, Mr. Suryans Agrwal, Advs.
for R-1
Mr. Vikas Kr. Sharma, Senior Central Govt. Counsel for R-3
Ms. Manisha Agrawal Narain, Mr. Nipun Jain, Advs. for R-6

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

: **JASMEET SINGH, J (ORAL)**

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

“a). Direct the Respondents to allow Petitioner to continue



attending their MBBS classes, and be pleased to pass such other or further orders as this Hon'ble Court may deem fit and proper in the interest of justice.

b). Direct the Respondents to issue a similar order in favor of Petitioner as was granted to the student namely 'Kirtee Koushika Panda', who was also included in the same list of students terminated from the MBBS course along with Petitioner and was similarly under investigation by the CBI and who, despite being part of the said suspected list, was permitted by the Hon'ble Supreme Court to continue her studies and appear in the end semester examination.

c). Pass any such order as this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case.

2. The brief facts of the case are that the petitioner passed his 12th standard examination in 2022 and subsequently appeared for the NEET-UG 2024 examination conducted on 05.05.2024. The result of the same was declared on 04.06.2024, whereby the petitioner obtained an All India Rank of 28,106 and General Category Rank of 11,234. A revised score card was issued on 26.07.2024, as per which the petitioner scored 651 out of 720 total marks.
3. Consequently, the petitioner through the counselling process was admitted to the MBBS course at Bhima Bhoi Medical College and Hospital, Balangir, Odisha.
4. The respondent No. 4 namely, Central Bureau of Investigation ("**CBI**") issued summons dated 15.08.2024 directing the petitioner to appear for



investigation at the CBI, Anti-Corruption Branch (“ACB”), Bhubaneswar, in connection with the alleged NEET-UG 2024 examination irregularities.

5. The respondent No. 1, namely the National Testing Agency (“NTA”) issued a Show Cause Notice dated 23.10.2024 to the petitioner through his registered email ID, requiring him to show cause why he should not be debarred.
6. The petitioner duly replied to the said Show Cause Notice. However, the respondent No. 1 proceeded to withdraw the NEET-UG 2024 result/scorecard of petitioner. Pursuant to the same, the admission of the petitioner was cancelled by the respondent No. 5, i.e. Bhima Bhoi Medical College and Hospital, Balangir, Odisha.
7. The aforesaid cancellation of admission is based on the letter dated 23.01.2025 issued by respondent No. 6, i.e. National Medical Commission, which reads as under:



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ANNEXURE - P1

True typed copy

Phone: 25367033, 25367035, 25367036 Fax: 0091-11-25367024 Email: ug@nmc.org.in	Pocket-14, Sector-8, Dwarka Phase-1, New Delhi-77
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National Medical Commission
(Undergraduate Medical Education Board)

No. U-16011/Circular/2024-25/UGMEBM.Cell-Part(1)/002754

Dated: 23.01.2025

The Directorate of Medical Education & Training (DMET)
Keshari Nagar, Bhubneshwar,
Odisha-751001
Email: dmetbhsr@gmail.com

Sub: Submission of list of candidates withheld result for NEET-2024.

Madam/Sir,

This has reference to the National Testing Agency letter F.No.17/27/2024-NEET-NTA dated 14th August 2024.

It is hereby intimated that following candidates of your State have been found as being involved in malpractices as reported by the (CBI) Central Bureau of Investigation, which has been entrusted with the responsibility of Investigating the paper leak cases of NEET UG 2024.

The details of these candidates are as under: -

SI No.	State	College	Merit No.	Name of students	Roll No.	Date of Admission
1.	Orissa	Government Medical	25299	Harshit Agrawal	2604010223	24/10/2024



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		College & Hospital Renamed as Bhima Bhoi Medical College & Hospital, Balangir				
2.	Orissa	DRIEMS Institute of Health Sciences and Hospital, Kairapari	55399	Kirtee Koushika Panda	3604090480	18/10/2024

In this regard, you are requested to discharge these candidates or cancel their admissions from your respective Colleges/Medical Institutions in light of CBI Report. An early action may be intimated to this office.

(Sukh Lal Meean)

Director, UGMEB

Copy to:

1. DRIEMS Institute of Health Sciences and Hospital, Karapan, Add: DRIEMS Road, Kotasahi, Tang Odaha 75-1025, Email dean@drlemedicalege 918 Governmet Medical College & Hospital (Renamed as Bhima Bhoi Medical College & Hospital), Balang, Orissa, Add: Balangir, Gandhrel, Odisha-767002, Email grochalator@amall.com

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2. Medical Counselling Committee (MCO), Add, Nirman Bhawan,
Rajpath Area, Central Secretariat New Delhi 110001, Email:
edgmig@nic.in

3. Guard Tile

By-E-mail/ Top Most Priority

DIRECTORATE OF MEDICAL EDUCATION & TRAINING, ODISHA

Heads of Department Building Bhubneshwar, 751001, Tel No. 0674-2393847,
2394255,

E-Mail dmstbbsr4@gmail.com www.dmetodisha.gov.in

Memo No.MET-I-UG-01/2025 1649

Date 01.02.2025

Copy along with copy of UGMER, NMC New Delhi Letter No.10-16011/Circular 2024-25/UGMEB/M. Cell-Part (1)002754 Dt.23.01.2024 forwarded to the Dean & Principal. DU ML. Balangir DRIEMS Institute of Health Sciences & Hospital, Kairapari, Kotasali, Tams, Cuttack for information & necessary action

She/He is requested to take necessary steps on the matter as per instruction of Directorate, UGMEB immediately and report compliance to the UGMEB, NMC, New Delhi directly under intimation to this Directorate.

Director Medical Education & Training, Odisha

Memo No.1650

DL. 01 FEB 2025

Copy forwarded to the Medical Counselling Committee (MCC), Nirman Bhawan. Rajpath Arma, Central Secretariat, New Delhi-110001 for information with reference to GMEB, NMC New Delhi Letter No. A-16011/Circular/2024-25/UGMEB/M. Cell-Part (1) 002754 Dt. 23.01.2024.

Director Medical Education & Training, Odisha

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Memo No. 1651

Dt. 01 FEB 2025

Copy forwarded to the Additional Secretary to Govt. of Odisha, Health & FW
Depts., for information

Director Medical Education & Training, Odisha

Memo No. 912/Edu.

Date: 10-02-25

Copy to Warden, 1st Year Hostel (Boys), BBMCH, for information and necessary
action.

**Dean & Principal
BBMCH, Balangir**

Memo No. 913 /Edu.

Date: 10-02-25

Copy to Vice Principal/ HODs of Anatomy / Biochemistry / Physiology of
BBMCH, Balangir for information and necessary action,

**Dean & Principal
BBMCH, Balangir**

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8. The counter affidavit has been filed on behalf of the respondent No. 1, wherein it is mentioned that the CBI is investigating into the allegations of leakage of NEET-UG 2024 question paper and that the CBI shared a list of 22 candidates who have been identified by them as being involved in various malpractices. The roll number, application number, and name of the petitioner was also mentioned in the list at serial no. 18 as provided by CBI. It was on the basis of these allegations of malpractice that the admission of the petitioner has been cancelled.
9. Ms. Riya Sachdeva, learned counsel appears on behalf of Mr. Anupam S. Mishra, learned special public prosecutor for the CBI, and states that the CBI has already filed a chargesheet in the matter and the petitioner is not an accused as per the said chargesheet. The petitioner has only been named as a witness. In the present case, the only reason for cancellation of admission and removal of the name of the petitioner from the course is that there were allegations against the petitioner of malpractices regarding the NEET-UG 2024 Examination. There is no other ground available for the said action against the petitioner.
10. I have heard the learned counsels for the parties.
11. The petitioner by participating in an open entrance has secured admission in the respondent No. 5 University on the basis of his merit. In case the same is to be cancelled, there has to be some valid, genuine and compelling reasons.
12. The statement of the counsel appearing on behalf of the CBI that the petitioner is not an accused but is only a witness, makes it apparent that there cannot be any *prima-facie* findings of the petitioner committing any malpractices.



13. The valuable right accrued to the petitioner by clearing the entrance exam, i.e. NEET-UG needs to be protected, as the action of cancellation of admission and removal of the name of the petitioner from the MBBS course is disrupting the academic progress of the petitioner on totally unjustifiable grounds. The right to pursue higher or professional education even though not explicitly spelt out as a fundamental right in part III of the Constitution of India, it is an affirmative obligation on the part of the state to ensure this right and the same cannot be permitted to be curtailed, lightly.
14. For the said reasons, the petition is allowed and a Mandamus is issued to the respondent to permit the petitioner to continue his MBBS Classes in accordance with the curriculum.
15. The petition is disposed of in aforesaid terms.

CM.APPL. 63713/2025

16. This is an application filed under Section 151 of CPC, 1908 seeking to mark the appearance of the applicant in the orders dated 25.09.2025 and 26.09.2025.
17. For the reasons stated in the application, the present application is allowed and the appearance of Mr. Vikas Kr. Sharma, learned Senior Central Govt. Counsel shall be shown in the orders dated 25.09.2025 and 26.09.2025.
18. The present application is disposed of in aforesaid terms.

JASMEET SINGH, J

JANUARY 7, 2026/sp
(Corrected and released on 10.01.2026)