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

+ W.P.(C) 8935/2023

SACHIN KUMAR

..... Petitioner

Through: Ms. Yoothica Pallavi, Advocate

Versus

NATIONAL MEDICAL COMMISSION & ORS. Respondents

Through: Mr. T. Singhdev, Mr. Abhijit Chakravarty, Mr. Bhanu Gulati, Mr. Tanishq Srivastava, Mr. Aabhas Sukhramani, Ms. Anum Hussain and Ms. Ramanpreet Kaur, Advocates for respondent Nos. 1 and 2

Mr. Kirtiman Singh, Mr. Waize Ali Noor, Mr. Madhav Bajaj and Mr. Varun Pratap Singh, Advocates for respondent No.3

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV

ORDER

% **07.07.2023**

CM APPL 33875/2023 (Exemption)

1. Allowed, subject to all just exceptions.
2. The application stands disposed of.

CM APPL 33874/2023 (Interim relief)

1. Learned counsel appearing on behalf of the petitioner submits that despite fulfilling all eligibility criteria, the petitioner is not being allowed to appear in the Foreign Medical Graduate Examination. She states that the examination in question is scheduled for 30.07.2023 and if the petitioner is

not allowed to appear in the said examination, he would suffer irreparably. She, therefore submits that subject to hearing the respondents, the petitioner be allowed to appear in the ensuing examination which is scheduled to be conducted on 30.07.2023. She also states that in case the petitioner fails in the said petition, the result of the said examination may not be declared.

2. I have considered the submissions made by learned counsel for the petitioner and in the absence of eligibility certificate, this court is not inclined to allow the petitioner to appear in the examination to be conducted on 30.07.2023. However, it is observed that in case the petitioner succeeds, there would be subsequent examination either in the year 2023 or in the year 2024, where the petitioner can very well be allowed to appear in the said examination.

3. Accordingly, the present application for interim relief is dismissed.

W.P.(C) 8935/2023

1. Heard.
2. Issue notice.
3. Learned counsel for the respondents accept notice.
4. Let the counter affidavit be filed within two weeks. Thereafter, rejoinder, if any, be filed within two weeks.
5. List on 8th August, 2023.

PURUSHAINDR KUMAR KAURAV, J

JULY 7, 2023

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