



**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

**DATED THIS THE 25<sup>TH</sup> DAY OF SEPTEMBER, 2025**

**BEFORE**

**THE HON'BLE MR. JUSTICE R DEVDAS**

**WRIT PETITION NO. 23759 OF 2025 (EDN-RES)**

**BETWEEN:**

MISS. NISHAT R KOLYAL  
D/O SRI. RAJAHAMAD KOLYAL  
AGED ABOUT 24 YEARS,  
STUDENT, 1ST YEARS MBBS,  
DR.AMEDKAR MEDICAL COLLEGE AND HOSPITAL,  
GANDHI NAGAR, KADUGONDANAHALLI,  
BANGALORE 560045  
R/AT 4/20, VIDYANAGAR, TALIKOTI,  
VIJAYAPURA-586214.

...PETITIONER

(BY SRI. CHANDRAKANTH R GOULAY., ADVOCATE)

**AND:**

1. THE UNION OF INDIA  
THE UNION OF INDIA  
MINISTRY OF HEALTH AND FAMILY WELFARE  
NIRMAN BHAVAN MAULANA AZAD ROAD  
NEW DELHI-110 011  
BY ITS SECRETARY
2. NATIONAL MEDICAL COMMISSION  
(ERSTWHILE MEDICAL COUNCIL OF INDIA)  
POCKET 14, SECTOR 8, DWARKA,  
NEW DELHI-110007  
REP. BY ITS SECRETARY

Digitally signed by  
JUANITA  
THEJESWINI  
Location: HIGH  
COURT OF  
KARNATAKA



3. STATE OF KARNATAKA  
DEPARTMENT OF HEALTH AND FAMILY WELFARE,  
105, 1ST FLOOR, SECRETARIAT BUILDING,  
VIKASA SOUDHA, BENGALURU-560001  
REPRESENTED BY ITS SECRETARY
4. THE DIRECTORATE OF MEDICAL EDUCATION  
REPRESENTED BY ITS DIRECTOR,  
I FLOOR, FORT, K R ROAD,  
BENGALURU-560002.
5. KARNATAKA EXAMINATIONS AUTHORITY  
SAMPIGE ROAD, 18TH CROSS,  
MALLESHWARAM BANGALORE-560012  
REP. BY ITS EXECUTIVE DIRECTOR
6. RAJIV GANDHI UNIVERSITY  
OF HEALTH SCIENCES  
4TH T BLOCK, JAYANAGAR,  
BANGALORE-560041  
REPRESENTED BY ITS REGISTRAR
7. DR. AMBEDKAR MEDICAL COLLEGE AND HOSPITAL,  
GANDHI NAGAR, KADUGONDANAHALLI,  
BANGALORE 560045.  
REP. BY ITS PRINCIPAL.

...RESPONDENTS

(BY SMT. SWATHI PANDURANGA., CGC FOR R1  
SRI. N.KHETTY., ADVOCATE FOR R2  
SMT. B.P.RADHA., AGA FOR R3 & R4  
SRI. N.K. RAMESH., ADVOCATE FOR R5  
SMT. MAMATHA G KULKARNI., ADVOCATE FOR R6  
R7 SERVED, UNREPRESENTED)

THIS WP IS FILED UNDER ARTICLES 226 & 227 OF THE  
CONSTITUTION OF INDIA PRAYING TO ISSUE A DIRECTION TO



THE RESPONDENTS TO PERMIT THE PETITIONER TO APPEAR FOR THE EXAMINATION TO BE CONDUCTED FOR THE 1ST YEAR MBBS COURSE IN THE SUBJECT OF BIOCHEMISTRY IN PARTICULAR OF BOTH PAPER 1 AND 2 TO BE CONDUCTED IN THE DURING SEPTEMBER / OCTOBER 2025 AS A MERCY ATTEMPT(5TH ATTEMPT) BY CONSIDERING THE REPRESENTATIONS DATED 14/07/2025 VIDE ANNEXURE-C TO ANNEXURE C4 (SERIES) AND ANNEXURE-D DATED 27.06.2025 AND TO PASS APPROPRIATED SUITABLE ORDERS AND ETC.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE R DEVDAS

**ORAL ORDER**

The petitioner, a medical student studying in the 7<sup>th</sup> respondent -institution, is before this Court with a prayer that 5<sup>th</sup> attempt may be permitted to the petitioner, although the Regulation would prescribe only 4 attempts. It is clear from the prayer itself that this is a mercy petition filed on the ground that there is only one paper for the petitioner to clear and therefore the prayer that fifth attempt may be permitted.



2. The law is very clear in this regard. No Court can pass an order contrary to the Regulations and norms prescribed by the university. When it is clear from the petition that the Regulations of the University as well as the National Medical Council Commission would prescribe only 4 attempts for a student, this Court is not in a position to accede to the prayer made by the petitioner.

Accordingly, the writ petition stands ***dismissed.***

**Sd/-  
(R DEVDAS)  
JUDGE**

KLY  
CT: JL