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**IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR
WP No. 5692 of 2021**

(RAKESH KUMAR MISHRA Vs UNION OF INDIA AND OTHERS)

WP/06555/2021

Dated : 08-05-2023

Shri N.S. Ruprah - Advocate for the petitioners.

Shri Gopi Chourasiya - Advocate for respondent nos. 1 to 5.

Shri Manoj Sharma - Senior Advocate assisted by Shri Quazi Fakhruddin - Advocate for respondent nos. 6, 8, 10, 11, 15, 16, 17 and 18.

Shri Anand Singh - Advocate for respondent no. 6 in W.P. No. 6555/2021.

The main ground which has been raised by the petitioner is in regard to change of criteria after the game had begun. Pointing out towards the evaluation sheet available on page 36 along with Annexure P-4, it is submitted that earlier evaluation was to be made for 50 marks out of which 35 were for PPT/interview, 5 for teaching/research experience beyond eligibility (0.5 marks per year) maximum five marks, five marks were for publication/citation/impact of publication (100 citation equal to one mark) maximum five marks, research grants (one crore=1 mark) maximum five marks.

Later on, vide notification dated 4/03/2021, a new format was introduced giving up allocation of marks for teaching/research experience/publication/citation/impact of publication and research grants and interviews were conducted for 50 marks as per the report of the experts.

Shri Gopi Chourasiya when asked that how this change could have been made, he submits that this petition is not maintainable.

Same is the submission made by Shri Manoj Sharma, learned Senior



Advocate.

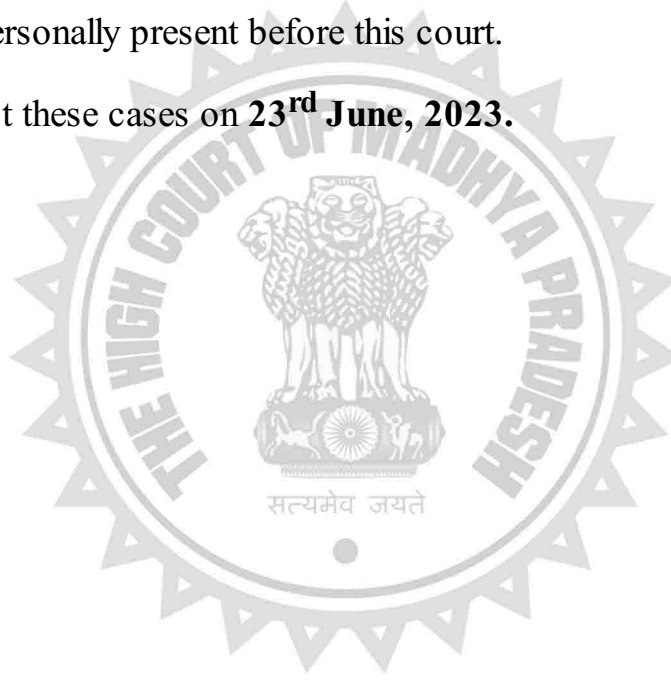
It is submitted that this petition is not maintainable in the form of writ of Quo Warranto.

That issue will be considered once, respondents filed their categorical response that under which provision they could change the notification after initiation of the process of recruitment by modifying Annexure P-4 with Annexure P-1.

Let personal affidavit of the Director of the All India Institute of Medical Sciences, Bhopal be filed on or before the next date failing which he shall remain personally present before this court.

List these cases on **23rd June, 2023.**

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**(VIVEK AGARWAL)
JUDGE**