

ITEM NO.32

COURT NO.1

SECTION IX

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No.21942/2024

(Arising out of impugned final judgment and order dated 03-09-2024 in WPC No. 4918/2024 passed by the High Court Of Judicature at Bombay at Nagpur)

OM RATHOD

Petitioner(s)

VERSUS

THE DIRECTOR GENERAL OF HEALTH SERVICES & ORS.

Respondent(s)

(With IA No.216286/2024-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.216288/2024-INTERVENTION/IMPLEADMENT and IA No.216287/2024-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 25-10-2024 This petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE J.B. PARDIWALA
HON'BLE MR. JUSTICE MANOJ MISRA

For Petitioner(s) Mr. Shadan Farasat, Sr. Adv.
Mr. Talha Abdul Rahman, AOR
Mr. M Shaz Khan, Adv.
Mr. Taha Bin Tasneem, Adv.
Mr. Sudhanshu Tewari, Adv.
Mr. Rafid Akhter, Adv.
Mr. Faizan Ahmad, Adv.
Mr. Prannv Dhawan, Adv.

For Respondent(s) **Ms. Archana Pathak Dave, Sr. Adv.**
 Mr. Shashank Bajpai, Adv.
 Ms. Sushma Verma, Adv.
 Mr. Karunesh Kumar Shukla, Adv.
 Mr. Gopi Chand, Adv.
 Mr. Amrish Kumar, AOR

Mr. Gaurav Sharma, Sr. Adv.
 Mr. Prateek Bhatia, AOR
 Mr. Dhawal Mohan, Adv.
 Mr. Paranjay Tripathi, Adv.
 Mr. Rajesh Raj, Adv.
 Ms. Ankita Dogra, Adv.

**UPON hearing the counsel the Court made the following
O R D E R**

- 1 Leave granted.

- 2 We have heard Mr Shadan Farasat, senior counsel for the appellant. Ms Archana Pathak Dave, Additional Solicitor General appears on behalf of the first respondent and Mr Gaurav Sharma, senior counsel for the National Medical Commission.

- 3 The appellant suffers from a physical disability. We have considered the report which has been submitted by Dr Satendra Singh in pursuance of the order dated 18 October 2024.

- 4 The National Medical Commission has fairly stated before this Court that bearing in mind that the appellant is a bright student having secured 601 marks out of maximum of 720, he may be permitted to participate in the ongoing counseling process subject to the clarification that the direction of this Court should not be treated as a precedent concluding all issues of law which may arise in any other case.

- 5 We accordingly direct that the appellant be permitted to participate in the ongoing counseling process arising out of NEET UG 2024.
- 6 Detailed order with reasons to follow.
- 7 Written submissions may be emailed to the Court Master at cmvc.dyc@gmail.com by 5 pm on 26 October 2024.

(CHETAN KUMAR)
A.R. -cum-P.S.

(SAROJ KUMARI GAUR)
Assistant Registrar