

**ITEM NO.24**

**COURT NO.11**

**SECTION XVI**

**S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS**

**Petition(s) for Special Leave to Appeal (C) No(s). 14738/2025**

**[Arising out of impugned final judgment and order dated 16-04-2025  
in WPA No. 8266/2025 passed by the High Court at Calcutta]**

**KADAM GIRISH SHRIRAM**

**Petitioner(s)**

**VERSUS**

**THE UNION OF INDIA & ORS.**

**Respondent(s)**

**(IA No. 130489/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED  
JUDGMENT**

**Date : 25-06-2025 This matter was called on for hearing today.**

**CORAM :**

**HON'BLE MR. JUSTICE K.V. VISWANATHAN**

**HON'BLE MR. JUSTICE NONGMEIKAPAM KOTISWAR SINGH**

**(PARTIAL COURT WORKING DAYS BENCH)**

**For Petitioner(s) :**

**Mr. Ranjan Mukherjee, Adv.**

**Mr. Gholam Mohiuddin, Adv.**

**Ms. Anindo Mukherjee, Adv.**

**Mr. Saurabh Bhushan, Adv.**

**Mr. Rameshwar Prasad Goyal, AOR**

**For Respondent(s) :**

**Mr. Varun Chandiok, Adv.**

**Mr. Amarjit Singh Bedi, AOR**

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

**1. The petitioner appeared in the National Eligibility-Cum-**

**Entrance Test (NEET-PG 2024) conducted by the National Board  
of Examinations in Medical Sciences on 11.08.2024.**

2. In the rank list published, the petitioner secured NEET-PG 2024 rank 112394.

3. It is not disputed that the petitioner appeared in the Online Counselling and the West Bengal Medical Counselling Committee has allotted a seat at ICARE Institute of Medical Sciences and Research Haldia to pursue M.S. (General Surgery) programme during Special Stray Vacancy Round under Private Management Quota.

4. Mr. Varun Chandiok, learned counsel appearing for respondent No.9- ICARE Institute of Medical Sciences and Research Haldia (for short "College") before us does not dispute that the petitioner is a validly counselled candidate who was duly allotted a seat to the college and a fee of Rs. 27 lakhs was paid online before the last day for admission, namely, 20.03.2025. This is also duly reflected from the receipts and online proof available at page 38-39 of the SLP Paper Book.

5. Even the order of the High Court duly records that the petitioner, after successfully clearing the NEET-PG 2024 entrance examination, participated in the online counselling conducted by the West Bengal Medical Counselling Committee and was allotted a seat under the Private Management Quota in the Special Stray Vacancy Round in respondent No.9-College for pursuing M.S. (General Surgery) programme.

6. Mr. Chandiok, on specifically being asked, whether the seat has been allotted to any other candidate submits that the seat is vacant and is not being allotted.

7. The only issue that engaged, the attention of the High Court was whether the petitioner was out of time in reporting to the college on 27.03.2025.

8. Though, undisputedly, he paid full fees on 20.03.2025, according to the petitioner, he was delayed due to certain other demand of fees by the college, which is disputed by the college.

9. Be that as it may, on the facts of the present case, we are, *prima facie*, convinced that the petitioner, before the last day for admission, paid the fee and was to be treated as a duly admitted candidate before the deadline.

10. When the petitioner was not permitted to attend the college, he moved the High Court praying for permission to attend the classes and to be duly treated as a validly admitted candidate.

11. However, the High Court has dismissed the writ petition on the ground that the candidates were to report and join the allotted college on 20.03.2025 as that was the last day for admission but the candidates visited the college only on 27.03.2025.

12. We feel that on the facts of this case, an interim order

is called for.

13. The petitioner being duly counselled and having paid fees on or before 20.03.2025 should be permitted to attend the college in the seat allotted.

14. We direct that respondent No.9-College to which the petitioner has been allotted a seat to permit him to attend the classes from tomorrow onwards.

15. Learned counsel for the petitioner submits that the candidate being stationed in Calcutta will report to the College on Friday morning i.e. 27.06.2025.

16. List the matter for further consideration on 18.08.2025.

17. In the meantime, pleadings be completed.

18. All documents, which require to be submitted in the College, will be submitted by the petitioner on or before Monday, i.e. 30.06.2025.

(DEEPAK SINGH)  
ASTT. REGISTRAR-cum-PS

(SUDHIR KUMAR SHARMA)  
COURT MASTER (NSH)