

2025 LiveLaw (SC) 688

IN THE SUPREME COURT OF INDIA

K.V. VISWANATHAN; J., NONGMEIKAPAM KOTISWAR SINGH; J.

Petition(s) for Special Leave to Appeal (C) No(s). 14738/2025; 25-06-2025

KADAM GIRISH SHRIRAM versus THE UNION OF INDIA & ORS.

NEET-PG 2024 - The Supreme Court granted interim relief to a NEET-PG 2024 candidate denied admission to ICARE Institute of Medical Sciences and Research, Haldia, despite paying Rs. 27 lakh in fees, due to delayed reporting. The Court directed the college to allow the petitioner, a validly counselled candidate allotted a seat under the Private Management Quota in the Special Stray Vacancy Round, to commence classes from June 26, 2025. The petitioner had paid the fees online before the March 20, 2025, admission deadline, despite disputes over additional fee demands and non-issuance of a Medical Counselling Committee (MCC) card. The High Court had previously dismissed the petitioner's plea, citing late reporting on March 27, 2025. The Supreme Court's order was issued after confirming the seat remained vacant, ensuring no third-party rights were affected. (Para 13)

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

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

ORDER

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 NEETPG 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.

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