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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 4708/2020, CM APPL. 16938/2020

PEEYOOSH BHARAT SAINI

..... Petitioner

Through: Mr. Ashish Upadhayay and
Mr. Pradeep Mishra, Advs.

versus

MEDICAL COUNCIL OF INDIA & ORS.

..... Respondents

Through: Mr. T. Singhdev, Adv. for R-1
Mr. Ankit Raj, Mr. Neeraj, Mr. Sahaj
Garg, Mr. Piyush Beriwal, Ms.
Vandana Dewan and Ms. Damini
Garg, Advs. for R-2 to R-4

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

% **29.07.2020**

This matter is being heard through video-conferencing.

CM APPL. 16938/2020 (for exemption)

Exemption allowed subject to all just exceptions.

Application stands disposed of.

W.P.(C) 4708/2020

1. The present petition has been filed by Ishika Kumari through her power of attorney holder, Peeyoosh Bharat Saini. It has been pointed out to Mr. Ashish Upadhayay that the name of Ishika Kumari should be reflected as petitioner through her special power of attorney. He states that amended memo of parties shall be filed during the course of the day. The statement is

taken on record.

2. The present petition has been filed by the petitioner with the following prayers:

“It is therefore most respectfully prayed in view of the aforesaid facts and circumstances to this Hon’ble Court to be pleased to issue a Writ in the nature of:

A. Mandamus thereby directing the respondents to grant one time exemption to Ms. Ishika Kumari D/o. Pradeep Kumar R/o.102, Malviya Nagar, Sector-I, Jaipur as an exception from the requirement of having to clear NEET for admission to Overseas Medical Course in Foreign University for the Current Academic Session i.e. 2020-2021.

B. Grant such other or further reliefs as this Hon'ble Court may in the facts and circumstances of this case, deem fit, expedient and/or appropriate.”

3. In substance the grievance of the petitioner is that she intends to pursue undergraduate medical course from Bukhara State Medical Institute, Uzbekistan. The last date of admission for undergraduate medical course is August 20, 2020. According to the petitioner, the eligibility of possessing NEET qualification is a pre-requisite for an Indian Citizen who undertakes a medical course in a foreign country. According to the petitioner, as the NEET examination in the country is scheduled for September 13, 2020, it may not be possible for her to meet the said eligibility.

It is noted and also conceded by Mr. Ashish Upadhayay that the petitioner has not approached the authorities with her grievance as raised in

the writ petition. Appropriate shall be, for this Court to dispose of the writ petition directing the Medical Council of India / respondent No.1 in consultation with the Ministry of Health and Family Welfare to consider the writ petition as a representation and dispose of the same within a period of three weeks from today and communicate the decision to the petitioner.

4. I take on record the submission made by Mr. Singhdev, learned counsel appearing for the respondent No.1 / Medical Council of India and Mr. Ankit Raj, learned counsel appearing for the respondent Nos.2 to 4 that the said respondents shall comply with the order passed by this Court expeditiously.

5. With the aforesaid, the writ petition is disposed of.

6. Copy of this order be uploaded on the website of this Court.

V. KAMESWAR RAO, J

JULY 29, 2020/aky