



2026:CGHC:14956-DB

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 1411 of 2026

Aaditya Ramchandani S/o Manoj Ramchandani Aged About 26 Years
R/o 352 Ward 4, Sindhi Colony, Korba, Chhattisgarh.

... Petitioner(s)

versus

1 - Union Of India Through The Secretary, Ministry Of Education,
Shastri Bhawan New Delhi.

2 - The Secretary Ministry Of Health And Family Welfare, Nirman
Bhawan, New Delhi.

3 - The Director General Directorate General Of Health Services (Dghs),
Ministry Of Health And Family Welfare, Government Of India, Room
Number 354, Nirman Bhawan, Delhi.

4 - State Of Chhattisgarh Through The Principal Secretary, Health And
Family Welfare Department, Mahanadi Bhawan, Nava Raipur, Atal
Nagar, District- Raipur, Chhattisgarh.

5 - Directorate Of Medical Education Through The Director, Directorate
Of Medical Education, Dks Bhawan, Raipur, Chhattisgarh.

6 - National Medical Commission Through Its Secretary General, Pocket
- 14, Sector 18, Dwarka Phase I, New Delhi 110077

7 - Late Bisahu Das Mahant Memorial Government Medical College
Korba, Through Its Registrar, Jhagarha, Urga Road, District- Korba,
Chhattisgarh.

... Respondent(s)

For Petitioner(s)	:	Mr. Harshmander Rastogi, Advocate
For Respondent 1 & 2	:	Mr. Ramakant Mishra, Advocate
For Respondent/ State		Mr. Shashank Thakur, A. A. G.
For Respondent No. 6.		Mr. R. S. Marhas, Advocate

Hon'ble Shri Ramesh Sinha, Chief Justice

Hon'ble Shri Ravindra Kumar Agrawal, Judge

Order on Board

Per Ramesh Sinha, Chief Justice

01/04/2026

1. Heard Mr. Harshmander Rastogi, learned counsel for the petitioner. Also heard Mr. Ramakant Mishra, learned counsel for Respondent No. 1 and 2, Mr. Shashank Thakur, learned Addl. Advocate General, appearing for the Respondent/State as well as Mr. R. S. Marhas, learned counsel for the Respondent No. 6.

2. By this petition under Article 226 of the Constitution of India, the petitioner seeks for the following relief(s):

“(10.1) That, this Hon'ble Court may kindly be
pleased to issue writ, order or directions directing

the respondents to allow the petitioner to be admitted against the vacant seat of MD General Medicine at Government Medical College, Korba.

(10.2) That, this Hon'ble Court may kindly be pleased to grant any other relief(s), which is deemed fit and proper in the aforesaid facts and circumstances of the case.”

3. The brief facts of the case are that, the petitioner is an EWS category medical graduate from IQ City Medical College, Durgapur, currently serving as a Junior Resident at Government Medical College, Korba, appeared in NEET PG 2025 and secured 343/800 marks with an All India Rank of 83,701 and EWS category rank of 8,062, thereby qualifying for All India 50% quota counselling. Despite participating in all rounds of counselling, including the stray vacancy round, the petitioner was not allotted any seat, while a candidate with a significantly lower rank (1,06,660) was allotted a DNB seat under the EWS category. The petitioner promptly raised objections via e-mail within the stipulated time and made repeated efforts to contact the authorities, but received no response. Subsequently, through an RTI application, it was revealed that a PG seat in MD General Medicine remained vacant at Government Medical College, Korba. Aggrieved by the arbitrary denial of admission despite merit and the availability of a vacant seat, the petitioner has filed the present writ petition seeking allocation of the said seat.

4. Learned counsel appearing on behalf of the petitioner, submits that, the petitioner, being a meritorious candidate, has been arbitrarily and unjustly denied admission in the NEET PG counselling process, despite securing a higher rank than another candidate who was allotted a seat under the same EWS category. Such action of the respondent authorities is manifestly arbitrary, unreasonable, and violative of Article 14 of the Constitution of India. The petitioner had promptly raised objections within the prescribed time by way of emails and made all reasonable efforts to bring the discrepancy to the notice of the authorities, however, no corrective action was taken. The inaction on part of the respondents has resulted in grave prejudice to the petitioner, who, despite being fully eligible and qualified, has been deprived of his rightful opportunity.

5. It is further submitted that a vacant PG seat in MD General Medicine is available at Government Medical College, Korba, and allotting the same to the petitioner would neither disturb the rights of any other candidate nor violate the counselling scheme. The petitioner has not been allotted any seat in any round and thus remains eligible for consideration. In light of the settled legal position, particularly in **S. Krishna Sradha v. State of Andhra Pradesh (2020) 17 SCC 465**, wherein it has been held that in exceptional circumstances admission can be granted even after the cut-off date if the candidate is not at fault, the present case squarely warrants exercise of extraordinary jurisdiction under Article 226. Therefore, it is humbly prayed that this Hon'ble Court may direct allotment of the vacant seat to the petitioner in the interest of

justice and to prevent wastage of a valuable national resource.

6. On the other hand, Mr. Shashank Thakur, learned Addl. Advocate General opposes the submissions made by the learned counsel for the petitioner and submits that, the present petition is devoid of merit and liable to be dismissed, as the entire NEET PG counselling process has been conducted strictly in accordance with the prescribed rules, guidelines, and timelines. The allotment of seats is carried out through a centralized, automated system based on multiple parameters including rank, category, choices filled, and availability of seats, and not solely on rank; therefore, the mere fact that a lower-ranked candidate was allotted a seat does not ipso facto establish any illegality or arbitrariness. The petitioner, having participated in all rounds of counselling without securing a seat, cannot now challenge the process after its conclusion. It is further submitted that the counselling process has already been completed and the cut-off date for admissions has expired, and as per the law laid down by the Hon'ble Supreme Court in **S. Krishna Sradha (Supra)**, admissions after the cut-off date are impermissible except in the rarest of rare cases, which is not attracted in the present matter. The alleged vacancy, if any, cannot be filled de hors the counselling scheme, as it would disturb the sanctity and uniformity of the admission process across the country. Hence, no relief can be granted to the petitioner under Article 226 of the Constitution of India.

7. Mr. R. S. Marhas, learned counsel for the Respondent No. 6 would submit that it is for the State authorities to allot the seats under the EWS quota in stray rounds of NEET PG 2025.

8. Mr. Ramakant Mishra endorses the submission of Mr. Marhas and submits that the entire process of counselling has been over and therefore, he cannot be permitted to take admission in PG course.

9. We have learned counsel for the parties, perused the material annexed with the petition.

10. Upon hearing the submissions and perusal of the record, it is evident that the NEET PG counselling process has been conducted in accordance with the prescribed scheme, rules, and timelines laid down by the competent authorities. The seat allotment is governed by a centralized and automated mechanism which takes into account various factors such as rank, reservation category, choices exercised by candidates, and seat availability. Merely because a candidate with a lower rank has been allotted a seat does not by itself establish arbitrariness or illegality, in absence of any cogent material to show violation of the counselling norms. The petitioner, having participated in all rounds of counselling, cannot be permitted to challenge the outcome of a process to which he had voluntarily subjected himself.

11. It is further observed that the entire counselling process has already concluded and the cut-off date for admission to postgraduate medical courses has expired. The Hon'ble Supreme Court has consistently held that adherence to the cut-off schedule is mandatory to maintain certainty and discipline in medical admissions. Granting admission beyond the prescribed date would not only be contrary to settled law but would also disturb the uniformity of the admission

process. The alleged vacancy, if any, cannot be a ground to bypass the established counselling procedure and grant admission dehors the rules.

12. In view of the above, this Court does not find the present case to fall within the exceptional circumstances warranting exercise of extraordinary jurisdiction under Article 226 of the Constitution. No arbitrariness, mala fide, or procedural illegality has been substantiated against the respondents.

13. Accordingly, the writ petition being devoid of merit deserves to be and hereby dismissed.

Sd/-

(Ravindra Kumar Agrawal)
Judge

Sd/-

(Ramesh Sinha)
Chief Justice

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