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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 3268/2025

RAVI UPADHYAY

.....Petitioner

Through: Mr.Shubham Bhal, Mr. Anuj Aggarwal and Ms. Kritika Matta, Advs.

versus

NATIONAL BOARD OF EXAMINATIONS IN MEDICAL SCIENCES & ORS.

.....Respondents

Through: Mr. Waize Ali Noor, Mr. Mrinal Kumar Sharma, Mr. Varun Rajawat and Mr. Zillur Rahman, Advs. for R-1/NBEMS

Ms. Neha Rastogi, Sr. Panel Counsel with Mr. Animesh Rastogi, Advs. for R-1/UOI

Mr. T. Singhdev, Mr. Abhijit Chakravarty, Mr. Sourabh Kumar, Ms. Yamini Singh, Mr. Tanishq Srivastava and Ms. Ramanpreet Kaur, Advs. for R-3/MNC

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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06.05.2025

CM APPL. 27154/2025 (stay of order dated 27.01.2025)

1. The present application has been filed by the petitioner/applicant praying for stay of the operation of the impugned order/letter dated 27.01.2025 issued by the respondent no.1 whereby the Foreign Medical



Graduate Examination (FMGE) Pass Certificate issued against Roll No. 2311113381 for the FMGE June, 2023 was revoked with immediate effect.

2. The learned counsel appearing on behalf of the petitioner submits that this Court *vide* order dated 17.03.2025 has already issued notice after noting the case set out by the petitioner.

3. He submits that the revocation of the Pass Certificate is premised on the ground that the petitioner was not eligible to apply for the FMGE June, 2023 Examination inasmuch as he was not possessing the primary medical qualification on or before the cut of date 30.04.2023. He submits that the last date for making an application for the FMGE June, 2023 Examination was 30.06.2023, but the petitioner had been issued a degree by the foreign university on 23.06.2023. Thus, the petitioner was possessing a degree of primary medical qualification on the last date prescribed for making application for the FMGE June, 2023.

4. He submits that on the basis of the FMGE Pass Certificate issued by the NBEMS, the petitioner has also undergone the internship for a period of one year.

5. He further contends that in case the operation of the impugned order is not stayed during the pendency of the present writ petition, the petitioner will be debarred from applying for the NEET-PG examination, the last date of which is 07.05.2025.

6. Having regard to the submissions made by the learned counsel for the petitioner, which *prima facie* appears to have some substance, the operation of the impugned order/letter dated 27.01.2025 whereby the FMGE Pass Certificate issued by the NBEMS was revoked, is stayed during the pendency of the present writ petition.



7. Needless to say the petitioner shall not claim any special equities in his favour on the basis of this order.
8. With the aforesaid direction the application stands disposed of.
9. Order *dasti* under the signatures of the Court Master.

VIKAS MAHAJAN, J

MAY 6, 2025
N.S. ASWAL