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

+ W.P.(C) 15141/2025

GARIMA TYAGI & ANR.

.....Petitioners

Through: Mr. Mayank Sapra, Mr. Adhish
Rajvanshi and Ms. Lalima Das, Advs.

versus

LOK NAYAK HOSPITAL & ORS.

.....Respondents

Through: Mr. T. Singhdev and Mr. Tanishq
Srivastava, Advs. for R-5/NMC.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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26.09.2025

CM APPL. 62167/2025 (exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

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3. The present petition has been filed seeking following relief:

“a. Issue a Writ in the nature of Mandamus, or any other appropriate Writ, Order, or Direction to declare the seats allotted in the M.Ch. Neurosurgery program at the Respondent No. 1 hospital, through NEET-SS 2024 counselling as invalid, on account of the Department of Neurosurgery at the Respondent No. 1 being non-functional, lacking academic affiliation with the Respondent No. 2 for the M.Ch. Neurosurgery program, and failing to meet the minimum standards prescribed by the Respondent No. 5 for super-specialty education;

b. Issue a Writ in the nature of Mandamus, or any other appropriate Writ, Order, or Direction to the Respondent Nos. 5 and 6 to facilitate the migration of the allotted seats of the Petitioners to any other duly recognized institution or medical college within Delhi offering the M.Ch. Neurosurgery program in accordance with



the choices filled by the Petitioners during NEET-SS 2024 by creation of supernumerary seats;

Alternatively,

c. Issue a Writ in the nature of Mandamus, or any other appropriate Writ, Order, or Direction to the Respondent No. 5 and 6 to allow the Petitioners to leave the seats allotted to them without imposition of any penalty or coercive action, in order to enable them to appear in NEET-SS 2025 and join a different medical college;

d. Issue a Writ in the nature of Mandamus, or any other appropriate Writ, Order, or Direction to the Respondent No. 1 for compensation for an amount of Rs. 1,10,000/- (Rupees One Lakh Ten Thousand Only) towards mental harassment caused to the Petitioners;”

4. Issue notice. Mr. T. Singhdev, learned counsel for the respondent no.5 accepts notice.
5. Notice be issued to the remaining respondents, by all permissible modes, returnable on 29.10.2025, amongst the top 10 matters.
6. Let counter-affidavit be filed within a period of two weeks from the date of service. Rejoinder thereto, if any, be filed before the next date.
7. The prayer for interim relief will be considered on the next date.

VIKAS MAHAJAN, J

SEPTEMBER 26, 2025/dss