



\$~136 and 137

* **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, Advocates.

versus

LOK NAYAK HOSPITAL & ORS.

.....Respondents

Through: Mr. Sumit K. Batra and Ms. Priyanka Jindal, Advocates for GNCTD.

Mr. Sriharsha Peechara, Senior Standing Counsel with Mr. Akshat Kulshrestha, Mr. Soumit Ganguli and Mr. Akash Sharma Advocates for NBEMS.

Mr. Mohinder J.S. Rupal, Mr. Hardik Rupal, Ms. Aishwarya Malhotra and Ms. Tripta Sharma, Advocates for University of Delhi.

Mr. T. Singhdev and Mr. Vedant Sood, Advocates for NMC.

137

+ W.P.(C) 15431/2025

GUNJAN WADHWA & ANR.

.....Petitioners

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

versus

LOK NAYAK HOSPITAL & ORS.

.....Respondents

Through: Mr. Sumit K. Batra and Ms. Priyanka Jindal, Advocates for GNCTD.

Mr. Sriharsha Peechara, Senior Standing Counsel with Mr. Akshat Kulshrestha, Mr. Soumit Ganguli and Mr. Akash Sharma Advocates for NBEMS.

Mr. Mohinder J.S. Rupal, Mr. Hardik Rupal, Ms. Aishwarya Malhotra and Ms. Tripta Sharma,



Advocates for University of Delhi.
Mr. T. Singhdev and Mr. Vedant Sood, Advocates
for NMC.

CORAM:
HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

% **24.11.2025**

CM APPL. 66908/2025 in W.P.(C) 15141/2025
CM APPL. 63168/2025 in W.P.(C) 15431/2025

1. W.P.(C) 15141/2025 is filed by the Petitioners seeking a writ of Certiorari to declare the seats allotted in M.Ch. Neurosurgery Program at Respondent No. 1/Hospital through NEET-SS 2024 as invalid on account of the Department of Neurosurgery being non-functional and lacking academic affiliation with Respondent No. 2 as also for failing to meet minimum standard prescribed by Respondent No. 5 for Super-Specialty Education. Writ of Mandamus is sought for a direction to Respondents No. 5 and 6 to facilitate migration of the Petitioners to any other duly recognized institutions within Delhi offering the same program.
2. W.P.(C) 15431/2025 is filed by the Petitioners for declaring seats allotted in the D.M. Neuroanesthesia Program at Respondent No. 1/Hospital through NEET-SS 2024 as invalid on account of the Department of Neurosurgery being non-functional and lacking academic affiliation with Respondent No. 2 for the said program, amongst other reliefs.
3. Learned counsel for the Petitioners submits that Petitioners secured merit-based allotment in the Super-Specialty programs at Respondent No. 1/Hospital and joined as required. However, on joining the campus, they discovered various shortcomings in relation to affiliation, designated faculty,



infrastructural viability etc. and despite repeated representations, the shortcomings have not been removed and Petitioners were constrained to file the present petitions seeking migration to other institutions. While these petitions are pending, NEET-SS 2025 has been announced and the examination is scheduled to be held on 26th and 27th, December, 2025 as per Notification dated 22.10.2025 issued by NBEMS. Petitioners will be disqualified to appear in the examination unless they are formally released from their current allotments, resulting in loss of entire academic year. There is no certainty when these petitions will be finally decided and/or the final outcome and therefore, in the interest of justice, Petitioners be permitted to appear in the NEET-SS 2025, for which the cut-off date for submitting online applications is 25.11.2025.

4. Learned counsels for the Hospitals and Government of NCT of Delhi as also University of Delhi have no objection to the interim relief being granted. However, Mr. Sriharsha Peechara, Senior Standing Counsel for NBEMS submits that Petitioners cannot be allowed to apply for NEET-SS 2025 in light of Clause 3.7 of Information Bulletin, which provides that those candidates who are already pursuing or have joined a Doctoral Course (DM/M.Ch./DrNB) through NEET-SS will not be eligible for admission to DrNB Super-Specialty Courses through NEET-SS 2025 for the entire duration prescribed for the course already joined by them earlier.

5. After hearing counsels for the parties and looking at the special and peculiar facts and circumstances of these cases, where Petitioners were allotted seats in Respondent No. 1/Hospital on selection through NEET-SS 2024 but are unable to pursue their courses due to the shortcomings mentioned in the writ petitions and their request for migration is pending



consideration, it would be in the interest of justice that they are permitted to appear in NEET-SS 2025, for which the cut-off date for submitting online applications is 25.11.2025 and the examination is scheduled on 26th and 27th, December, 2025.

6. Accordingly, without prejudice to the rights and contentions of the parties as also the contention raised by Mr. Peechara, in the interest of justice and in the special facts of these cases, Petitioners are permitted to submit online application forms on 25.11.2025 for NEET-SS 2025 and appear in the examination. Results of the Petitioners will be kept in a sealed cover.

7. This interim arrangement would be subject to final outcome of the writ petitions and will not create any special equities in favour of the Petitioners. Both applications are allowed and disposed of.

W.P.(C) 15141/2025 & CM APPL. 70219/2025

W.P.(C) 15431/2025

8. List on 22.01.2026.

JYOTI SINGH, J

NOVEMBER 24, 2025/YA