

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/SPECIAL CIVIL APPLICATION NO. 12546 of 2026

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MINOR MANKUMAR NILESHBHAI DHEDHI THROUGH NILESHKUMAR
KARAMSHIBHAI DHEDHI

Versus

THE STATE OF GUJARAT & ANR.

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Appearance:

MR. R.D.KINARIWALA(6146) for the Petitioner(s) No. 1

MS VANITA BHARWANI ASSISTANT GOVERNMENT PLEADER for the
Respondent(s) No. 1

MR. KM ANTANI(6547) for the Respondent(s) No. 2

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CORAM:HONOURABLE MR. JUSTICE NIKHIL S. KARIEL

Date : 09/09/2026

ORAL ORDER

1. Heard learned Advocate Mr. R.D. Kinariwala on behalf of the petitioner, learned Assistant Government Pleader Ms. Vanit Bharwani on behalf of respondent – State and learned Advocate Mr. K.M. Antani on behalf of respondent no. 2.

2. Considering the submissions made by learned Advocates for the respective parties more particularly since it prima facie appears to this Court that the opinion of the Appellate Medical Board, is not in consonance with the Guidelines On Assessment Of Persons With Benchmark Disabilities (PwBD) For Admission To The MBBS Course, 2026 as notified by the

National Medical Commission and having regard to the suggestion submitted by learned Advocate Mr Antani, the following directions are passed:

[1] The respondent no. 1 shall ensure that a fresh Medical Appellate Board is constituted for examining the present petitioner more particularly considering the appeal, of the present petitioner against the opinion of the Medical Board of ACPUGMEC & ACPPGMEC) dated 10.08.2026.

[2] The Board shall consist of subject experts, who were not part of the Appellate Medical Board which had given its opinion dated 18.08.2026.

[3] The Board shall examine the present petitioner today i.e. on 09.09.2026 by 4.00 P.M. and whereas the venue shall be informed to the present petitioner in advance so as to ensure that the petitioner reaches the venue well within time.

[4] The Appellate Board shall examine the present petitioner and whereas the Appellate Board shall pass a reasoned order as stipulated in the Guideline No. 13.3 of the Notification 2026 by the MC.

[5] Needless to clarify that this Court expects that the Appellate Board shall take an independent decision, without being influenced, in any manner whatsoever, with the opinion of the Appellate Medical Board dated 18.08.2026.

[6] The report of the Board shall be made available as soon as possible to the petitioner and to the learned Advocate appearing for the petitioner and whereas the same shall be presented before this Court by the next date i.e on 10.09.2026. The matter shall be listed on 10.09.2026 on top of the Board.

Direct service is permitted today.

(NIKHIL S. KARIEL,J)

NIRU

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: NIRU ROSHAN SHAH(HC00211), PRINCIPAL PRIVATE SECRETARY, at High Court of Gujarat on 09/09/2026 13:14:16