

**Abhay Singh Mankotia and Ors Vs. Atal Medical and Research University and Ors.**

**CWP No.3524 of 2026**

**23.03.2026 Present:** Mr. Rajesh Kumar Parmar Advocate, for the petitioners.

Mr. Sandeep K Pandey, Advocate for respondents No. 1 and 2.

Mr. Nand Lal Thakur, Sr. Panel Counsel for respondent No.3.

Ms. Seema Sharma, Deputy Advocate General, for respondent No.4-State.

Notice. Mr. Sandeep K Pandey, learned counsel, Mr. Nand Lal Thakur, learned Senior Panel Counsel and Ms. Seema Sharma, learned Deputy Advocate General, appear and waive service of notice on behalf of respondents No. 1 & 2, 3 and 4, respectively.

Reply be filed within four weeks.

List on **21.04.2026.**

**CMP No.5097 of 2026**

**2.** Heard. Petitioners plead that they are bonafide MBBS students of 2000 and 2021 batches studying in respondent N.4-College. They feel aggrieved against the denial of opportunity to them to appear in MBBS Phase-III Part-I supplementary examinations statedly scheduled from tomorrow i.e. 24.03.2026.

**3.** According to the petitioners', they alongwith some other students were detained in January 2025 from appearing in MBBS Phase-III Part-I examinations on the ground of shortage of attendance. Total ten students were detained for such reasons. These students, including the petitioners, were granted opportunity to make good the attendance and were given four months to complete the requirement. During this period, all the detained students, including the petitioners, were permitted to attend the classes and academic activities of MBBS Phase-III Part-II so that they academically continued in the course.

Out of ten detained students, four students completed the attendance requirement and were permitted to appear in the examination. The petitioners alongwith three others were again detained.

In November 2025, annual examinations of Junior Batch ( 2022 MBBS batch) were conducted. Petitioners were not allowed to appear citing shortage of attendance, though out of six students, three students were permitted to appear in the examination. The

petitioners were not permitted because their attendance was not complete at that time.

Petitioners are now with the grievance that they have completed the required attendance for appearing in MBBS Phase-III Part-I examination and are eligible to appear in the supplementary examination scheduled from 24.03.2026. Though online portal is open, but the respondent No.4 is not forwarding petitioners' examination forms, thereby preventing them from appearing. According to the petitioners, respondent No.4 has imposed condition that the petitioners must first complete the attendance of MBBS Phase-III Part-II before being allowed to appear in the MBBS Phase-III Part-I.

**4.** Looking to the case projected at this stage, that petitioners have requisite attendance for appearing in MBBS Phase-III Part-I examination and the fact that the examination are set to start from tomorrow (24.03.2026), learned counsel for respondent No.1 and 2 were directed to have instructions in the matter. Accordingly matter was passed over. Learned counsel

for respondents No.1 and 2 has placed on record instructions to the effect that it has not received examination forms of the petitioners on the university portal.

**5.** Keeping in view the competing claims and in the interest of justice, equity and good conscience. respondents are directed to provisionally allow the petitioners to appear in the MBBS Phase-III Part-I examinations said to be scheduled from tomorrow (24.03.2026) onwards. Such participation will not create any equity much less any right in favour of the petitioners and will abide by the result of the writ petition. Petitioners' result shall not be declared without leave of the Court. Respondent No.4 is directed to immediately forward the examination forms of the petitioners for further necessary action to respondents No. 1 and 2. Application to stand disposed of.

Jyotsna Rewal Dua  
Judge

March 23, 2026  
(R.Atal)