

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P.(C) No. 5832 of 2025

Surabhi Kumari

..... Petitioner

Versus

- 1.The State of Jharkhand
- 2.Secretary, Department of Health, Govt. of Jharkhand
- 3.Director, Rajendra Institute of Medical Science, Bariatu, Ranchi
- 4.National Medical Commission, New Delhi through its Director, Under-Graduate Medical Examination Board, National Medical Commission, New Delhi

..... Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY PRASAD

For the Petitioner	: Mr. Saurav Arun, Advocate Ms. Ayushi, Advocate
For the RIIMS	: Dr. A.K. Singh, Advocate Mr. Sharen Toppo, Advocate
For the N.M.C.	: Mr. Mithilesh Kr. Pandey, Advocate

03/31.10.2025 Record has been produced today before this Court in the light of order dated 15.10.2025, passed by the Co-ordinate Bench (Hon'ble Mr. Justice Rajesh Kumar) of this Court.

2. At the outset, learned counsel for the petitioner has submitted that the petitioner is Second year M.B.B.S. student of RIMS and the said Institution is going to conduct Theory and Practical Third Terminal Examination for the M.B.B.S. Batch, 2023 from 10.11.2025 till 20.11.2025 and as such she may be permitted to appear in the said examinations.

3. Learned counsel for the RIMS has opposed the prayer and has submitted that Notice may be issued to the Respondent No.4, i.e. National

Medical Commission and the RIMS may also file counter affidavit as there is no proper guideline in this issue.

4. Mr. Mithilesh Kr. Pandey, learned C.G.C. has appeared on behalf of the Respondent No.4-National Medical Commission and has accepted the Notice and has submitted that he and Mr. Prashant Pallav, learned Counsel for the Union of India will appear on behalf of National Medical Commission in this case.

5. It appears that neither the State nor the RIMS has filed counter affidavit till date in the light of order dated 15.10.2025 passed by the Co-ordinate Bench of this Court.

6. It also appears from the record that vide Order dated 19.03.2025, passed by Hon'ble Mr. Justice Anil Kumar Sinha [Patna High Court], in Criminal Miscellaneous No. 84065 of 2024, had granted provisional bail to the petitioner to appear in the 1st Professional (Part-1) MBBS Supplementary Examination, 2024.

7. It also appears that later on the provisional bail granted to the writ petitioner vide said order dated 19.03.2025 was extended with effect from 11.04.2025 till 21.04.2025 vide order dated 15.04.2025 passed in Criminal Miscellaneous No.

84065 of 2024 by Hon'ble Mr. Justice Chandra Prakash Singh of Patna High Court by allowing her to appear in practical and oral Examinations of 1st Professional MBBS 2024 (II) Supplementary Examination.

8. Under the circumstances, without prejudice to the case of the parties and subject to the filing of the counter affidavit, the Respondents are directed to allow the petitioner to appear in the 3rd Terminal Examination scheduled to be held from 10.11.2025 till 20.11.2025.

9. Put up this case on 10.11.2025.

10. Let the name of Mr. Prashant Pallav, learned counsel for the Union of India and Mr. Mithilesh Kr. Pandey, learned C.G.C. be reflected on behalf of Respondent No.4, i.e. National Medical Commission in the Daily Cause List.

(Sanjay Prasad, J.)

s.m.