

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Civil Writ Petition No. 22943/2025

M.B. Veterinary College, Near Railway Station, Dadodia, Dungarpur Run By Shri M.b. Health And Hygiene Nursing Shikshan Sansthan, Dungarpur Through Its Secretary Dr. Kapil Anand S/o Late Poonam Chand Kalal, Aged 46, Resident Of M.b.house, Near Jeevan Jyoti Hospital, Subhash Nagar, Dungarpur (Rajasthan).

-----Petitioner

Versus

1. State Of Rajasthan, Through Principal Secretary, Animal Husbandry Department, Secretariat, Jaipur (Raj.).
2. Rajasthan University Of Veterinary And Animal Sciences, Bikaner, Through Its Registrar.
3. Veterinary Council Of India, A-Wing, Ii-Floor, August Kranti Bhawan, Bikaji Cama Place, New Delhi Through Its Secretary.
4. Convener RpvT-2025, Rajasthan University Of Veterinary And Animal Sciences, Bikaner.

-----Respondents

For Petitioner(s)	:	Mr. C. S. Kotwani
For Respondent(s)	:	Mr. Jatin Sankhala for Mr. Ajay Vyas Mr. Ravindra Jhala for Mr. S. S. Ladreacha, AAG

HON'BLE MR. JUSTICE SANJEET PUROHIT

Order

25/02/2026

1. Present writ petition has been filed challenging circular dated 28.11.2025 as well as order dated 06.12.2025 issued by respondent No.2, directing the veterinary colleges, including the petitioner - Institutions, that only RPVT - 2025 qualified

candidates having Rajasthan Domicile will be eligible for admission against vacant seats of State quota.

2. Learned counsel for the petitioner – Institution relied upon the directions contained in judgment dated 25.09.2019 passed in ***S.B.C.W.P. No. 15131/2018 (Aravali Veterinary College, Sikar Vs Rajasthan University of Veterinary & Animal Sciences, Bikaner & Ors.)***, wherein this Court held that as per Clause 9 of Regulation 7 of the Veterinary Council of India – Minimum Standards of Veterinary Education in Degree Courses (B.V.Sc. & A.H.) Regulations 2008, the Veterinary Institutions can grant admission to students against the vacant seats left after counseling and such admissions by the Veterinary Institutions are neither subservient nor dependent upon the approval of the University.

3. Learned counsel for the petitioner - Institution further stated that the condition imposed by the respondent University that the vacant State quota seats must be filled only by the RPVT qualified students having Rajasthan domicile is not only against the provisions of the Regulations – 2016 but also contrary to the observations made by this Court in Aravali Veterinary College (*supra*).

4. Per contra, learned counsel for the respondents stated that since seats belongs to State quota, State Government / University has the authority to prescribe any eligibility criteria, including the requirement of Rajasthan domicile and, therefore, admissions against the vacant State quota seats cannot be granted straightway by the Institutions, without completion of counseling and without complying requirements prescribed by University.

5. Learned counsel for the respondents also stated that as a matter of fact, petitioner - Institution granted admission to the students *suo motu* by declaring the seats as vacant seats even before completion of counseling.

6. In response to the said submissions, learned counsel for the Institution submitted that even after the third round of counseling, around 31 out of 40 seats remained vacant and since no students allotted to petitioner Institutions, admissions were granted to the students in accordance with the mandate of Regulations of 2016, and such admissions cannot be made dependent upon the approval of the respondent University.

7. So far as the submissions made by respondent University that the admissions were granted prior to completion of counseling is concerned, learned counsel for the petitioner - Institutions stated that after completion of third round of counseling no further round was declared for a considerable period and in those circumstances, since 32 seats remained vacant, admissions were offered to students who had obtained qualifying marks in the NEET Examination.

8. It is stated that later on one stray round was announced and even in the said round only one student was offered to the petitioner - Institution. It is further stated that, in such circumstances, even after final round of counseling 31 seats remained vacant and in view of mandate of the Regulations, the Institutions were well within their rights to grant admission to students against the seats remaining vacant after counseling.

9. Matter requires consideration for final adjudication.

10. After considering the submissions made at bar, this Court *prima facie* finds that in view of the observations already made by this Court vide judgment dated 25.09.2019, the legal position settled in this regard is that a Veterinary Institution can grant admission to the students against the seats left vacant after counseling.

11. Looking to the arguments advanced at the bar, at this stage the requirements of grant of admission to only Rajasthan domicile candidates against State quota vacant seats is stayed. This Court finds it appropriate to permit the petitioner - Institution to admit students against the seats remained vacant even after the final round of counseling up to sanctioned seats. The students who have been offered seats of State quota through counseling shall have a preferential right to secure admission in the petitioner Institutions and, therefore, the students sent by the Counseling Board shall be granted admission in the petitioner - Institution against the State quota seats.

12. The remaining vacant State quota seats may be filled by petitioner – Institution on their own subject to compliance with the minimum qualifying marks criteria, if any.

13. The students already admitted by the petitioner - Institution against the seats which remained vacant even after final round of counseling shall be allowed to continue their studies and their admissions shall be provisionally recognized by the respondent University.

14. It is made clear that such provisional admission will not create any right in favour of students.

15. Let matters be listed for final arguments on 02.04.2026.

(SANJEET PUROHIT),J

141-A.Arora/-