

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

D.B. Special Appeal Writ No. 1385/2025

Vaishnavi Agarwal D/o Sanjay Agarwal, Aged About 17 Years,
R/o Udai Mod, Gangapur City Through Her Natural Guardian
Shri Sanjay Agarwal.

----Appellant

Versus

1. Union Of India, Through Ministry Of Health And Family Welfare, Government Of India, Room No. 201-D, Nirman Bhawan, New Delhi- 110011 Through Its Secretary.
2. Directorate General Of Health Services, Medical Counselling Committee, Nirman Bhawan, New Delhi- 110011 Through Its Director General.
3. National Testing Agency, First Floor, Nsic- Mdbp Building. Okhla Industrial Estate, New Delhi, Delhi 110020 Through Its Member Secretary.
4. The Sms Medical College, Jaipur Through Its Principal

----Respondents

For Appellant(s)	:	Dr. T.N. Sharma
For Respondent(s)	:	Ms. Manjeet Kaur with Ms. Taruna Mr. Alam Sahani

HON'BLE THE ACTING CHIEF JUSTICE MR. SANJEEV PRAKASH SHARMA
HON'BLE MRS. JUSTICE SANGEETA SHARMA

Order

09/01/2026

1. Both the counsels are ad idem that the issue raised in the present appeal stands finally adjudicated by us in DB Civil Special Appeal No. 1342/2025, Raman Khandelwal Vs. State of Rajasthan & Ors., decided on 19.12.2025, wherein this Court held as under:-

- "1. The medical report opinion dated 09.12.2025 has been placed on record. A copy of the same can be made available to the counsel appearing for the NEET UG Board and to the National Medical Commission for the purpose of present case.
2. It would be apposite to quote the medical board opinion, which reads as under :-

Date 09.12.2025

Medical Board Opinion

Medical Board was held on 08-12-2025 at 02:00 pm under the Chairpersonship of Dr. Vandana Chakravarty, for examination of NEET-UG candidate Mr. Raman Khandelwal. He is a case of congenital absence of Right Hand. On Assessment as per NMC guidelines No.NMC/UGMEB/PwBD/2025, dated 18-07-2025 board found that he is able to do the functional competencies listed in the assessment form (Locomotor Disability – Upper Extremity) using both upper limbs.

The assessment proforma as per the above NMC order is attached alongwith.

Member

2. Considering the said assessment, the denial of admission to the petitioner cannot be sustained, he would be entitled for admission in MBBS Course in terms of mandate laid down by the Hon'ble Supreme Court in the cases of **Anmol Vs. Union of India** passed in **Civil Appeal No.14333/2024** decided on 21.02.2025, **Omkar Ramchandra Gond Vs. Union of India** reported in **[(2024) SCC Online SC 2860]** and **Om Rathod Vs. Director General of Health Services & Ors.** reported in **[(2024) SCC Online SC 3130]**.
3. It is made clear that merely because of delay in getting the medical report, the petitioner will not be deprived of his rightful claim of his admission of continuous study in the College where he was given the allotment. Further in view of interim order passed by the learned Single Judge during pendency of the writ petition, the petitioner would be entitled for admission in MBBS Course.
4. Keeping in view thereto, we are of the firm view that the petitioner cannot be deprived of his rightful claim of his admission for continuing his studies in the College and consequences to follow.
5. In view of the aforesaid, the impugned judgment dated 11.11.2025 passed by the learned Single Judge is quashed and set-aside. The appeal is accordingly allowed.

6. All pending misc. applications stand disposed of. "

2. In view of above judgment passed by this Court in the case of Raman Khandelwal Vs. State of Rajasthan & Ors. (supra), the present appeal stands allowed *Mutatis-Mutandis*.

3. All pending applications also stand disposed of.

(SANGEETA SHARMA),J (SANJEEV PRAKASH SHARMA), ACJ

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