

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 19359/2025

Samiya Khan D/o Shri Raza Ur Rahman Khan, Aged About 19 Years, R/o 309, Kamla Nehru Nagar, Hasanpura, Jaipur, Rajasthan- 303006

-----Petitioner

Versus

1. State Of Rajasthan, Through The Principal Secretary, Medical Education Department, Government Secretariat, Jaipur.
2. Neet Ug Medical And Dental Admission / counselling Board-2025, Through Its Chairman Having Its Office At Sms Medical College, Jln Marg, Jaipur 302004
3. National Medical Commission, Through Its Secretary, Pocket-14, Sector-8, Dwarka, Phase-I, New Delhi.
4. Niims University Rajasthan, Through Vice Chancellor, Jaipur Delhi Highway (Nh-11C), Jaipur 303121

-----Respondents

For Petitioner(s)	:	Ms. Sara Parveen
For Respondent(s)	:	Mr. Yash Joshi with Ms. Tanvisha Pant and Mr. Gaurav Maheshwari for Mr. Vigyan Shah, AAG Mr. Sunil Kumar Sharma with Ms. Kavita Sharma Mr. Nitin Soni for Mr. Angad Mirdha

HON'BLE MR. JUSTICE ANUROOP SINGHI
Order

06/03/2026

Heard on the stay application.

Ms. Sara Parveen, learned counsel for the petitioner submits that the petitioner participated in NEET UG (undergraduate) 2025 under OBC NCL category wherein she scored 468 marks out of 720 marks and secured an All India Rank of 94322, her category rank being 45668.

Though, the petitioner participated in the NEET UG (MEDICAL / DENTAL) counselling 2025, wherein she filled the choices of several colleges for MBBS course, however, she could not secure

her place in any of the colleges in the first, second and even third round of counselling. As the petitioner opted to participate in the stray round of counselling, she deposited a security amount of Rs.2,00,000/- for Management Quota and Government Society College Seats for the course of MBBS.

It is a matter of record that the amount of security deposit for a candidate opting for Management Seat (MBBS course) in Government Society Colleges is Rs.2,00,000/-, whereas the security deposit for the BDS course in Government Dental College (RUHS CDS) or Private Dental Colleges is Rs.10,000/-.

Learned counsel for the petitioner submits that to the petitioner's utter shock and surprise, she was allotted a BDS seat at NIMS Medical College, Jaipur, vide the impugned provisional allotment letter of stray round dated 17.11.2025.

Learned counsel further submits that she never opted for a seat for BDS course, which is evident from the fact that an amount of Rs.2,00,000/- was deposited by her towards the security deposit, which was the requisite security deposit amount for a candidate opting for Management seat (MBBS Course in Government Society Colleges).

Learned counsel further submits that it was only on account of a technical glitch that the said change in the choice of colleges took place, which was beyond the control of the petitioner and obviously beyond the willingness of the petitioner as she was very much willing and inclined to undergo the MBBS course and not the BDS course.

Learned counsel further submits that the choice list submitted by the petitioner while participating in the first and second round of counselling reflects that only the colleges in respect of MBBS course were opted and no college with respect to BDS course was ever opted.

Learned counsel further submits that as the petitioner never opted to join the BDS course and consequently, didn't join the said course, the respondents have not only forfeited the security deposit amount of Rs.2,00,000/- but have even debarred her from participating in the State counselling process of NEET UG for the next one year, as a consequence to which, she would not be entitled to participate in the NEET counselling for the year 2026.

Learned counsel further submits that in case the petitioner is debarred from participating in the State counselling process, the same will gravely prejudice her academic career and she would be punished for no fault of her whatsoever, and thus, it is prayed that the security deposit amount of Rs.2,00,000/- be not forfeited and the petitioner be permitted to participate in the State counselling process for NEET counselling, 2026.

Per contra, Ms. Tanvisha Pant, Advocate along with Mr. Yash Joshi, Advocate appearing on behalf of Mr. Vigyan Shah, learned Additional Advocate General, fervently submit that taking the ground of a technical glitch is as vague as it could be and it is the petitioner alone who has filled the choice of BDS course and under no circumstances, the petitioner can blame the respondents for allotting her a seat in BDS course.

Learned counsel further submit that the forfeiture of the security deposit amount and so also her debarment from participating in the NEET counselling, 2026 is very much in accordance with the information booklet issued by the respondents and the petitioner is very well aware of the terms and conditions mentioned in the said information booklet.

Heard learned counsel for the parties on the stay application and perused the material available on record.

While, the conditions as mentioned in the information booklet issued for NEET UG (Medical/Dental) Admission / Counselling, 2025 (MBBS, BDS) are not disputed, a bare perusal of Clause 12 of the said information booklet which refers to the security amount for MBBS/BDS course reveals that the security deposit amount for a candidate opting for Management seat (MBBS Course in Government Society Colleges) is Rs.2,00,000/- and for a candidate opting for BDS course in Government Dental College (RUHS CDS) or private dental college is Rs.10,000/-.

Undisputedly, the amount of security deposit made by the petitioner is Rs.2,00,000/-, which entitles her for participating in the counselling process for MBBS course.

Though, nothing has been placed on record to demonstrate that there was any technical error in the portal of the respondents, however, it is inexplicable and beyond comprehension as to why a candidate would deposit an amount of Rs.2,00,000/- for securing participation in the counselling for BDS course when the requisite security deposit amount for the said participation was Rs.10,000/- only. Even the choice list filled by the petitioner for round one and

round two of the counselling reflects MBBS course and no BDS college has been opted in the same. Further, the respondents also could not demonstrate any justifiable reason as to why the petitioner would make a payment of security deposit of Rs.2,00,000/- solely for securing a seat in BDS course.

Having said that, at this stage there is no reason to not to believe the submission advanced by the learned counsel for the petitioner, thus, taking note of the above peculiar facts, this Court deems it fit and proper to direct the respondents to allow the petitioner to participate in the state counselling process for NEET counselling 2026 and her non-joining in pursuance to the NEET counselling 2025 in the BDS course should not be considered as an impediment.

However, it is clarified that the said concession is being granted to the petitioner considering the most peculiar facts obtained and with the sole intent that a technical lapse may not prejudice the academic career of a student. It is also clarified that the directions given herein will not be considered as a precedent.

Also, the documents which have been submitted by the petitioner with the respondents be released to her tomorrow i.e., on 07.03.2026 itself, enabling the petitioner to participate in the NEET counselling 2026.

With the above directions, the stay application stands disposed of.

List the matter for admission after four weeks.

(ANUROOP SINGHI),J