

SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
			<p>WPSB No. 513 of 2025</p> <p><b><u>Hon'ble Ravindra Maithani, J.</u></b> <b><u>Hon'ble Alok Mahra, J.</u></b></p> <p>Mr. Vinay Kumar, learned counsel for the petitioner.</p> <p>2. Mr. G.S. Negi, learned Addl. C.S.C. takes notices on behalf of State/respondent no.1 to 3.</p> <p>3. Mr. Rakshit Srivastava, learned proxy counsel for Mr. Ramji Srivastava, learned counsel for respondent no.4.</p> <p>4. Mr. Parikshit Saini, learned counsel for respondent no.5/National Medical Commission.</p> <p>6. Heard on admission.</p> <p>7. Admit the petition.</p> <p>8. Issue notice to respondent nos. 6 to 11 returnable within four weeks.</p> <p>9. Steps to be taken within one week.</p> <p>10. List this case on 23.02.2026.</p> <p>11. Respondents/State may file counter affidavit within six weeks. Thereafter, four weeks' time is granted to the petitioner to file rejoinder affidavit.</p> <p>12. Also heard on interim relief application (IA 1 of 2025).</p> <p>13. In this petition, the petitioner challenges the Final Result dated 17.11.2025 to the extent it concerns the selection of the private respondent for the post of Assistant Professor (Biochemistry). According to the petitioner, the norms issued by the National Medical Commission stipulate that non-medical candidates may be appointed only in the absence of eligible medical candidates; the petitioner also assails the order dated 08.10.2025 disposing of her representation, whereby respondent no. 8/Dr. Rashmi Pandey, was erroneously held eligible despite the contrary stipulations in the notice dated 30.09.2025. The petitioner seeks a mandamus directing the respondent-Selecting Body to revise the Final Result dated 17.11.2025 by including the petitioner's name.</p> <p>14. By means of the interim relief application, the</p>

petitioner seeks a direction to the respondents to keep one post of Assistant Professor (Biochemistry) in the General Category vacant during the pendency of the present writ petition.

15. Learned counsel for the petitioner submits that the National Medical Commission, vide notification dated 16.08.2023, had issued the Guidelines for Undergraduate Courses for Establishment of New Medical Institutions, Starting of New Medical Courses, Increase of Seats for Existing Courses, and Assessment and Rating Regulations, 2023. Schedule-II of the Regulations, 2023 prescribes the staff requirements for Medical Colleges and Medical Institutions. Clause A (General Remarks), Sub-clause 4, specifically provides that in the Departments of Anatomy, Physiology, and Biochemistry, non-medical teachers may be appointed only to the extent of 15% of the total number of posts, and that too subject to the non-availability of medical teachers. The Regulations mandate that first preference must be given to eligible medical teachers, and only when such candidates are not available can non-medical teachers be considered.

16. It is submitted that the petitioner possesses MBBS and MD (Biochemistry) qualifications and has been working on contractual basis in the Department, but, despite the availability of a medically qualified candidate, the respondents have selected the private respondent, who are non-medical candidates. The ratio prescribed under the Regulations of 2023 has not been disputed by the learned counsel for the NMC/respondent no.5.

17. Having considered the submissions, as an interim measure, we direct the concerned authority/respondents to keep one post of Assistant Professor (Biochemistry) vacant during the pendency of the writ petition.

**(Alok Mahra, J.)**  
26.11.2025

**(Ravindra Maithani, J.)**  
26.11.2025

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