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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

CNR No. DLHC010332682023

+ **W.P.(C) 11242/2023 & CM APPL. 43795/2023**

KARTIK MITTAL AND ORS

....Petitioners

Through: Ms. Mudita Sharda and Ms. Gayatri
Nandwani, Advs.

versus

NATIONAL MEDICAL COMMISSION AND ORSRespondents

Through: Mr. Amit Meharia, Adv. Mr. Abinash
Agarwal, Adv., and Ms. Priya S. Bhalerao, Adv.
for R1

Mr. Anand Varma and Mr Ayush Gupta, Adv. for
R2

Mr. Rohan Jaitley, CGSC, Mr. Akshay Sharma,
Mr. Dev Pratap Shahi, Mr. Varun Pratap Singh,
Mr. Yogya Bhatia, Adv. for UOI

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

% **11.08.2026**

1. This is a writ petition filed under Article 226 of the Constitution of India seeking the following prayers :-

“A. Issue a Writ or direction in the nature of Mandamus and set aside the Eligibility Criterion laid down by Respondent No.1 and further by Respondent No.2-6 in their respective Prospectus for applying to Super Specialty Courses (D.M.) offered in multiple Government Medical Institutions of India, whereby MD in Geriatric Medicine is excluded as a Feeder Qualification/Eligibility to apply for all Medicine related



Super Specialty Courses (D.M.) via National Eligibility Cum Entrance Test- Super Specialty (NEET-SS) and Institute of National Importance – Super Specialty (INISS) examination; and

B. Issue a Writ or direction in the nature of Mandamus to include MD in Geriatric Medicine as a Feeder Qualification/Eligibility for applying to Doctorate of Medicine (D.M.) in Super Specialty Courses via NEET-SS and INI-SS examination; ...”

2. The facts are that the petitioners are doctors with post graduation in MD (Geriatric Medicine) i.e., a branch of medicine that deals with the problems and diseases of old age and the medical care and treatment of ageing people.
3. On 23.05.2018, the President and General Secretary of the Resident Doctors’ Association, AIIMS, addressed a letter to the Secretary of Respondent No.1, formerly known as the Medical Council of India, highlighting the omission of MD (Geriatric Medicine) from the list of Broad Specialties eligible for DM specializations, which adversely affected the prospects of candidates holding the said qualification to pursue DM specializations.
4. On 29.05.2018, the Federation of Resident Doctors’ Association India (FORDA) also addressed a letter to respondent No.1 requesting, inter alia, that MD (Geriatric Medicine) be included as a qualifying course for admission to DM courses. Thereafter, on 04.03.2023, petitioner No.1 addressed an email to respondent No.2 seeking clarification regarding the exclusion of MD (Geriatric Medicine) as a qualifying qualification for



admission to DM courses through the INI-SS examination; however, the response received was vague and unsatisfactory.

5. Petitioner No.1 filed two RTI applications dated 05.03.2023 and 25.03.2023 and thereafter addressed letters dated 02.05.2023 and 18.05.2023 to respondent No.1, seeking clarification and redressal regarding the exclusion of MD (Geriatric Medicine) as a feeder qualification for medicine-related Super Specialty courses through NEET-SS. Despite the repeated representations and correspondence, no effective action was taken by the respondents. Hence the present petition.

6. The respondent No. 2 is All India Institute of Medical Sciences (“**AIIMS**”) which conducts the DM entrance via the INI-SS exam. The MD (Geriatric Medicine) was not a qualification to participate in INI-SS exam for DM courses.

7. Ms. Nandwani and Ms. Sharda, learned counsels for the petitioners, draw my attention to the Minutes of the Dean’s Committee Meeting held on 12.09.2019 and more particularly to table agenda No. 1 which reads as under:-

TABLE AGENDA ITEM NO: - 1

Proposal to include MD (Geriatric Medicine) as qualification for DM in various courses at AIIMS, New Delhi.

The proposal submitted by RDA to MOHFW, GOI requesting that MD (Geriatric Medicine) may be included as an eligible qualification for applying for DM course in the following subjects: (Clinical Hematology; Nephrology; Medical Oncology; Endocrinology; Cardiology; Pulmonary Medicine; Neurology; Gastroenterology;



Hepatology; Clinical Immunology & Rheumatology; Infectious Diseases; Critical Care Medicine; Geriatric Mental Health) at AIIMS, New Delhi because MD (Geriatric Medicine) is a 3-year MCI recognized course with the course curriculum similar to M.D Medicine with extensive training and clinical rotations in the disciplines of Gastroenterology, Cardiology, Medical Oncology, Clinical Haematology, Intensive Care Unit, Endocrinology, Psychiatry, Nephrology, Neurology, Pulmonary Medicine, and Rheumatology.

It was informed that the present eligibility for the DM courses is as under:-

S.No.	Course	Eligibility
1	Clinical Hematology	M.D. In Medicine/Pediatrics Of This Institute Or Any Other University Or Equivalent Degree Recognized By The MCI
2	Nephrology	
3	Medical Oncology	
4	Endocrinology	
5	Cardiology	
6	Neurology	
7	Pulmonary Critical Care & Sleep Medicine	M.D In Medicine/MD Pulmonary Medicine/MD Chest Medicine/MD Respiratory Medicine Of This Institute Or Any Other University Or Equivalent Degree Recognized By The MCI
8	Gastroenterology	M.D. In Medicine Of This Institute Or Any Other University Or Equivalent Degree Recognized By The MCI
9	Infectious Diseases	M.D. In Medicine/Pediatrics/Microbiology/ Tropical Medicine Of This Institute Or Any Other University Or Equivalent Degree Recognized By The MCI
10	Critical Care Medicine	M.D. In Anaesthesiology/Medicine/Chest Medicine Of This Institute Or Any Other University Or Equivalent Degree Recognized By The MCI

The proposal was discussed. The members were of the view that Geriatric Medicine is the new specialty and is in developing stage. At present, sufficient manpower with MD Geriatric Medicine is not available. Sufficient time should be given for specialty to mature and establish itself. Before any final decision is made, it was decided to seek comments from the departments running DM specialties as mentioned in table above.

8. Mr. Gupta, learned counsel for the respondent No. 2, states that in the present case, the respondent No. 2/AIIMS called for comments from various heads of departments and they were of the opinion that it would be



impermissible to allow individuals with MD (Geriatric Medicine) to be considered to apply for DM Endocrinology Entrance Examination.

9. The respondent No. 1, which is the body laying the qualification for Super Specialty DM courses, has stated that post graduate medical qualification of MD (Geriatric Medicine) is excluded as a feeder qualification to apply to for admission to Super Specialty, medical course through NEET-SS and INI-SS. The reason stated is that the physical infrastructure; teaching staff, clinical material and hospitals are insufficient for MD (Geriatric Medicine) to be a feeder qualification for DM Super Specialty Courses. No other reason is decipherable from the counter affidavit of the respondent No. 1.

10. All the comments of the heads of the department seem to suggest that Geriatric Medicine is not developed well enough to cater to the population they are supposed to look after, i.e., patients above the age of 60 years.

11. I am of the view that the said reasons are not sufficient to deny candidates holding MDs of Geriatric Medicine to enhance their career and participate in DM Super Specialty Courses.

12. If the concerned authorities are of the view that the number of doctors practising Geriatric Medicine is inadequate to cater to the population requiring such specialised care, it is for the authorities to take appropriate measures to increase the number of seats and doctors in the field of Geriatric Medicine. The inadequacy in the number of doctors in the field cannot, however, be a ground to deny doctors holding an MD in Geriatric Medicine the opportunity to pursue DM Super Specialty Courses and thereby advance their professional and career prospects.



13. Additionally, all these documents relied upon by the respondent No. 2/AIIMS are of the year 2019 and more than 7 years have elapsed since then.
14. For the said reasons, the respondent No. 1 is directed to have a re-look and to include MD (Geriatric Medicine) as eligible for DM specializations.
15. The needful shall be done expeditiously.
16. With these directions, the writ petition is disposed of.

JASMEET SINGH, J

AUGUST 11, 2026/AS