

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition(s)(Civil) No(s). 710/2023

SARANYA MANDAL

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(FOR ADMISSION)

Date : 21-07-2023 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S. RAVINDRA BHAT
HON'BLE MR. JUSTICE ARAVIND KUMAR

For Petitioner(s) Mr. Jaydip Pati, Adv.
Mr. Chandra Sekhar P., Adv.
Mr. Vikash Chandra Shukla, AOR
Ms. Anita, Adv.
Mr. Pradeep Sati, Adv.

For Respondent(s) Mr. Gaurav Sharma, AOR
Mr. Dhawal Mohan, Adv.
Mr. P. Tripathi, Adv.

UPON hearing the counsel the Court made the following
O R D E R

Issue notice to the respondents.

Mr. Gaurav Sharma, learned counsel accepts notice on behalf of respondent no. 3.

Dasti service, in addition, is permitted.

The petitioner is aggrieved by the rejection of her request to be considered as a reserved (scheduled tribe) candidate for the National Eligibility Entrance Test (NEET). She claims to be a scheduled tribe student. She claims to have applied for the certificate on 10.12.2022. However, it was not furnished to her at

the time she filled the form i.e. 16.03.2023. Consequently, she held herself out as a general candidate. She later sought to be treated as a scheduled tribe candidate. Her request was, however, rejected.

This Court had requested the counsel appearing for the National Medical Commission to appear on advance notice. Mr. Sharma, learned counsel is present in the Court. The Court is prima facie of the opinion that the National Testing Agency which conducts the All-India Entrance Examination on behalf of NEET authorities should consider appropriately accommodating cases where scheduled caste and scheduled tribe candidates apply but are not in possession of the relevant certificate as on the last date of filling the form and submitting it online. The authorities may consider adding an appropriate column seeking particulars as to the scheduled caste or scheduled tribe and also when the certificate was duly formed, in order to enable the candidate to at least avail of the benefit at the time of filling the form and ensuring that it is duly verified before a seat is allotted.

The Registry shall communicate the order directly to the respondents concerned.

List after two weeks.

(HARSHITA UPPAL)
SENIOR PERSONAL ASSISTANT

(BEENA JOLLY)
COURT MASTER (NSH)