

ITEM NO.1

COURT NO.1

SECTION X

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Writ Petition (Civil) No.104/2024

ADITYA DUBEY & ORS.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

Date : 21-02-2024 This petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE J.B. PARDIWALA
HON'BLE MR. JUSTICE MANOJ MISRA

For Petitioner(s) Mr. Colin Gonsalves, Sr. Adv.
Mr. Sumanth Nookala, AOR
Mr. Qambar Ali Zayed, Adv.

For Respondent(s) Mr. Gaurav Sharma, Adv.
Mr. Dhawal Mohan, Adv.
Mr. Paranjay Tripathi, Adv.
Mr. Kirtiman Singh, Adv.

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

- 1 The petitioners invoked the jurisdiction under Article 32 of the Constitution for extending the cut-off date of eligibility with reference to the completion of the internship so as to enable the students to appear for the entrance examination for the MDS course. The NEET-MDS 2024 examination was notified on 20 January 2024 and is to be held on 18 March 2024. The cut-off

date for completion of internship has been fixed as 31 March 2024. The petitioners have alluded to the fact that NEET-PG 2024 examination, on the other hand, was scheduled for 7 July 2024 and the internship cut-off date has been fixed as 15 August 2024. They seek parity in the matter.

- 2 Mr Gaurav Sharma, counsel appearing on behalf of the National Dental Commission states that the Union of India is seized of the matter and data has been sought yesterday from the Commission. Mr Sharma further states that the cut-off date was fixed for MDS so as to bring the examination process and academic schedule back on rails after the disruption which was caused due to the onset of Covid-19 pandemic.
- 3 In this context, we may advert to an earlier order passed by this Court on 8 February 2022 in ***Shivam Satyarthee vs Union of India*** [Writ Petition (Civil) No 68 of 2022].
- 4 Mr Colin Gonsalves, senior counsel appearing on behalf of the petitioners has also relied on the earlier response of the Union of India dated 17 February 2022.
- 5 The issue of fixing cut-off dates pertains to the policy domain. Hence, we are of the view that it would be appropriate if the petitioners are permitted to submit a representation to the Union of India. Mr Gonsalves submits that the representation has already been submitted to the Union Government in the Ministry of Health and Family Welfare. We direct that the representation which has been submitted to the Union Government be dealt with expeditiously and preferably within a period of one week from the date of this order.
- 6 We clarify that we have not expressed any opinion on the merits of the claim and it would be open to the Union Government to take an appropriate view having regard to all the facts and circumstances of the case.

- 7 The Petition is disposed of.
- 8 Pending applications, if any, stand disposed of.

(CHETAN KUMAR)
A.R. -cum-P.S.

(SAROJ KUMARI GAUR)
Assistant Registrar