

VERDICTUM.IN

1

ITEM NO.16

COURT NO.3

SECTION X

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). 65/2024

GAURAV R DHOKA

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(IA No. 37571/2024 - CLARIFICATION/DIRECTION)

Date : 23-02-2024 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.R. GAVAI
HON'BLE MR. JUSTICE J.B. PARDIWALA
HON'BLE MR. JUSTICE SANDEEP MEHTA

For Petitioner(s)

Mr. T. Harish Kumar, AOR
Mr. R. Bharthi Mohan, Adv.
Mr. Navneet Dugar, Adv.
Mr. Subham Kothari, Adv.
Ms. Preethi G, Adv.

For Respondent(s)

Ms. Aishwarya Bhati, Ld. ASG
Ms. Ruchi Kohli, Adv.
Ms. Shagun Thakur, Adv.
Ms. Shreya Jain, Adv.
Mr. Prashant Rawat, Adv.
Mr. Anirudh Sharma, Adv.
Mr. G.S. Makker, AOR

Mrs. Maninder Acharya, Sr. Adv.
Mr. Kirtiman Singh, Adv.
Mr. Dhawal Mohan, Adv.
Mr. Wazir Ali Noor, Adv.
Mr. Gaurav Sharma, AOR

UPON hearing the counsel the Court made the following

VERDICTUM.IN

2

O R D E R

1. This writ petition arises out of the peculiar facts.
2. In the counselling, the petitioner was allotted the college, where the course did not exist. As such, the petitioner was required to approach this Court.
3. We have requested Ms. Aishwarya Bhati, learned Additional Solicitor General to take instructions whether any vacant seat is available, so that the petitioner can be accommodated on such a seat.
4. The learned Additional Solicitor General, has graciously stated that though such a seat is available at Government Kilpauk Medical College (M.CH. Neuro Surgery) since the candidate selected for the said seat, did not join the course. She, however, submits that since the cut-off date is already over, it will not be possible for the college to admit the petitioner.
5. Taking into consideration the above facts, we find that the petitioner cannot be penalized for no fault of his. In the the peculiar facts and circumstances and treating the present petition as an exceptional case, the petitioner is directed to be admitted in Government Kilpauk Medical College (M.CH. Neuro Surgery).
6. Needless to State that the petitioner would be entitled to refund of all the amounts deposited by him with the

respondent(s)-colleges.

7. The writ petition is, accordingly, disposed of.

8. Pending application(s), if any, stand disposed of.

(DEEPAK SINGH)
COURT MASTER (SH)

(ANJU KAPOOR)
COURT MASTER (NSH)