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WP-27563-2026

IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE ANAND PATHAK

&

HON'BLE SHRI JUSTICE VINAY SARAF

ON THE 30th OF JULY, 2026

WRIT PETITION No. 27563 of 2026

ATHARV CHATURVEDI

Versus

NATIONAL MEDICAL COMMISSION AND OTHERS

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Appearance:

Shri Manoj Chaturvedi - Advocate for the petitioner [P-1].

Shri Anoop Nair - Senior Advocate with Ms. Nisha Khare - Advocate
for the respondent no1.

Shri Neeraj Singh Chauhan, learned counsel for the respondent no.2.
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ORDER

Per. Justice Anand Pathak

Heard on admission and interim relief.

2. With the consent of partis, the matter is heard finally.
3. The present petition is preferred by the petitioner seeking permission to appear in the examination of MBBS first year for the academic Session 2025-26.
4. Petitioner is a bright student belonging to the Economically Weaker Section (EWS). He qualified NEET qualification twice, initially for the 2024-25 session and then again for 2025-26 session. However, on technical pretext about implementation of notification dated 02.07.2024, he was



denied admission in the respondent no.3 college. He fought his case by appearing in person before this Court in earlier round of litigation as well as before the Apex Court.

5. The Hon'ble Supreme Court vide order dated 10.02.2026 passed in SLP No.35993 of 2025 allowed the SLP preferred by the petitioner and issued directions to National Medical Commission (NMC) and State of Madhya Pradesh (through Medical Education Department) to ensure admission of petitioner in MBBS course.

6. However, order was passed on 10.2.2026 and thereafter admission was given in respondent no.3 college and he commenced his studies there in March, 2026.

7. The whole process consumed time and he was admitted in respondent no.3 college in March, 2026. Now examination is to be held in August, 2026. Respondents denied permission to appear in exam due to attendance issue. Respondent no.1 and 2 despite having full sympathy with the cause of petitioner, raised an objection regarding attendance. Unless he completed attendance, he cannot be permitted. However, they fairly submit that remedial measure can be adopted by giving facility of extra classes to the petitioner.

8. Heard rival submissions of the parties and perused the documents appended thereto.

9. This is a peculiar case, wherein the petitioner who belongs to EW|S category qualified NEET examination twice, initially for 2024-25 and then again for 2025-26 session. He fought his case till the Apex Court by



appearing in person.

10. The Apex Court after considering his arguments and even after considering the question of delay found the case worth consideration for issuance of direction for admission in the MBBS course in one of the private colleges. After issuance of such direction to NMC and State of Madhya Pradesh, he was granted admission in respondent no.3 at Sukh Sagar Medical college, Jabalpur. Once the Apex Court exercises the power under Article 142 of the Constitution of India treating it as an exceptional case and granted admission considering the facts and circumstances of the case then if the petitioner is denied access to examination then it would not be in the interest of justice and contrary to the letter and spirit of order so passed by Apex Court.

11. Counsel for the petitioner very categorically submitted that he already covered his academic course by undergoing personal studies and if permitted to appear in the examination, then he will rise to the occasion and hopefully perform better. He is ready to undertake additional/extra classes also so as to hone his skills and undergo curriculum for betterment of himself and for public at large if such facility is provided.

12. Considering the fact situation, it appears that petitioner is a bright student and if given chance to appear in examination then he will cover the curriculum by working hard and with sincerity and if permission to appear in examination is denied then he will have to suffer full one year for no fault of his own. In fact, he suffered at the hands of respondents twice and delay was caused due to the action/inaction of respondents and not because of any fault



of petitioner. Therefore, case is made out for issuance of directions in peculiar facts and circumstances of the case.

13. In the considered opinion of this Court, this is a case deserves consideration to the extent that petitioner be permitted to appear in the examination which is likely to be held by the respondents very soon (August 2026) and respondent no.2 shall open portal for filling up examination form for him and will issue admit card and complete other formalities so that petitioner may appear in the examination which is likely to held in August, 2026. Respondent no.3 is directed to undertake extra classes as per the gracious disposition shown by NMC/State of M.P. for such exceptional circumstances. The petitioner shall undertake those extra classes with utmost sincerity. Needless to say that result of the petitioner shall be declared so that he may march along with his fellow colleagues of 2025-26 session.

14. With the aforesaid directions, petition stands allowed and disposed of.

15. Since this order is passed in the peculiar facts and circumstances of the case, it cannot be construed and relied as a binding precedent.

(ANAND PATHAK)
JUDGE

(VINAY SARAF)
JUDGE

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