IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 28TH DAY OF APRIL, 2022

BEFORE

THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

WRIT PETITION NO.8951 OF 2022 (EDN - RES)

BETWEEN:

1. SUMITH R.,

FATHER NAME: RAVINDRANATH

AGE: 23 YEARS UNIVERSITY REG

NO:17M4206

ADDRESS: SOMNATH NILAYA 2ND FLOOR NEAR UDNOOR CROSS,

BENAGLURU- 560045.

2. ANJIR RAJA ALAM

FATHER'S NAME: ABDUR RAHIM

AGE: 24 YEARS

UNI REG NO: 16M2342 ADDRESS: LICHUBARI, MANIK NAGAR, JORHAT, ASSAM 785001

3. YASHAVANTHA K S

FATHER'S NAME: SRINIVASA K L

AGE: 23 YEARS

UNI. REGISTRATION NO:17M0399

ADDRESS: NEAR POST OFFICE, KUNDUR (POST)

HONNALI(TQ),

DAVANAGERE (DIST) 577219, KARNATAKA

4. MRUTHYUNJAY SURESH SIDNAL FATHER'S NAME: SURESH A SIDNAL

AGE: 23 YEARS

REGISTRATION NO:17M4849

ADDRESS: HNO-18, 7 A MAIN, 19TH CROSS, MUTHYALANAGAR, JP PARK BACK GATE, BANGALORE 560054

5. AISHWARYA P

FATHER'S NAME: PUTTARAJA M

AGE: 23 YEARS REG NO. 18M1827 ADDRESS: BUDIGERE, DEVANAHALLI TALUK, BENGALURU 562129

6. P MARUTI

FATHER'S NAME: M PALANISAMY

AGE: 27 YEARS

UNI. REGISTRATION NO.12M2318 ADDRESS: MMC UG HOSTEL FOR MEN,

MYSORE

7. NAGASHREE AK

D/O KUMAR KS

AGE: 22 YEARS

REG NO. 18M5783

MARUTI NAGAR MARULAPPA LAYOUT ARSIKERE HASSAN 573103

8. SPOORTHY H K

FATHER'S NAME: T KRISHNAMURTHY

AGE: 21 YEARS

UNI. REGISTRATION

NO:18M3164

ADDRESS: No.807, SHRI MATHRU KRUPA, 3RD CROSS, UDAYAGIRI,

HASSAN.

9. NEHA PRASANNA

FATHER'S NAME: E S PRASANNA KUMAR

AGE: 22 YEARS

UNI. REGISTRATION NO: 18M0589 ADDRESS:1687, 5TH A CROSS, BSK1ST STAGE, 2ND BLOCK, BANGALORE 560050

10. GAUTHAM G

FATHER'S NAME: SURYA PRAKASH G

PHONE NO.8884301878

REG NO.17M5362

ADDRESS: VILLA NO.52, PHASE 2

GOLDEN LIBERTY ACRES

ATTIBELE 562107

11. ASFIYA KHANUM

D/O SAMEER KHAN K M

AGE: 22 YEARS

UNI REG NO.17M3957 ADDRESS: NO.4000/5B 3RD MAIN, 14TH CROSS, VINOBANAGARA, DAVANGERE 577006

12. MOUNIKA T

FATHER'S NAME: ADHINARAYANA T

AGE: 23 YEARS

UNI. REGISTRATION NO: 17M4151 ADDRESS: NO.18, NEAR RAMALAYA

TEMPLE, KOTTAYA CAMP,

HOSKERA POST , GANGAWATHI KARNATAKA

13. MAHALAXMI

FATHER'S NAME: VEERANNA B.,

AGE: 24 YEARS

UNI REG NO:17M4930

14. SAIPRASAD B

FATHER'S NAME: BHEEMARAYA BANNUR

AGE: 24 YEARS REG NO.17M4868

ADRESS: SAPTHAGIRI INSTITUTE OF

MEDICAL SCIENCES AND REASEARCH CENTRE, BOYS HOSTEL

15. SACHIN S.,

FATHER'S NAME: SHANTHAKUMAR S.,

AGE: 23 YEARS

UNI REG NO. 17M6341

ADDRESS: NO.6, 2ND CROSS,

KAVERI NAGAR, KAVALBIRASANDRA,

BANGALORE 32

16. KAVERI BARKI

FATHER NAME SANNACHOUDAPPA BARKI

AGE: 22 YEARS

UNI REGISTRATION NO.18M5757

ADDRESS: UDAGATTI, TQ RANEBENNUR

DISTRICT HAVERI

17. BEIG ALFIYA ABDUL

FATHER'S NAME: ABDUL ISMAIL BEIG

AGE: 25 YEARS

UNI REGISTRATION NO.16M0421

ADDRESS: SATTA-ADHARR

ARCADE, PEDEM, MAPUSA 403507

GOA

18. MUHAMMAD AMMAR SHARIFF

FATHER'S NAME: INAYATH ULLA SHARIFF

AGE: 23 YEARS

UNI REG NO.17M0472 ADDRESS: NO.618 MALDAR PET, KOLAR,

KOLAR

19. ASHISH PATIL

FATHER'S NAME: SATISH PATIL

AGE: 23 YEARS

REGISTRATION NO.18M6159 ADDRESS: BESIDE BSNL OFFICE

AMBEDKAR CHOWK

YADGIR KARNATAKA

20. PAVAN H A

FATHER'S NAME: ANJANAYAPPA H N

AGE: 24 YEARS

UNI. REGISTRATION NO.16M3479 ADDRESS: AKSHAYALAKSHMI HOUSE,

3RD CROSS RIGHT, SOUTERPET,

MANGALORE-575002

21. CHANDANA B.M.,

FATHER'S NAME: MADAIAH B.

AGE: 21 YEARS

UNIVERSITY REG NO. 18M3099 ADDRESS: BMCH NEW GIRLS HOSTEL JMIT CAMPUS CHITRADURGA..

22. AMAN POONIA

FATHER'S NAME: SUBE SINGH POONIA

AGE: 23 YEARS

UNI REG NO.18M1681 ADDRESS: VILL-MALAPUR

DIST:HISAR HARYANA

23. MIRZADUL HUDA

S/O SAMSUL HUDA

AGE: 31 YEARS

UNI. REGD NO.09M2026 ADDRESS: BANK COLONY,

KALABURAGI

24. KARTIK GANJU

FATHER'S NAME: SATINDER GANJU

AGE: 22 YEARS

REGISTRATION NO.17M0454 ADDRESS: ANTRIKSH HEIGHTS,

SECTOR 84, GURGAON,

HARYANA

25. KUMAR N.,

FATHER'S NAME: NAGARAJ N.,

AGE: 26 YEARS

UNI. REGISTRATION NO.17M1068 ADDRESS: SREE NANDEESHWARA

KRUPA, RENUKA NAGAR 14TH CROSS, TALUR ROAD,

BALLARI-583101

26. SANDEEP KUMAR

S/O PRADEEP KUMAR

AGE: 34 YEARS

UNI. REGD NO.09M2058 ADDRESS: BANK COLONY,

KALABURAGI

27. YASHWANT H N

FATHER'S NAME: H NARASIMHAPPA

AGE: 23 YEARS

UNI. REGISTRATION NO.17M2395 ADDRESS: DURGIGUDI 2 CROSS,

SOUTH BLOCK, HONNALI 577217

28. SINCHANA U SHETTY

FATHER'S NAME: UDAYAKUMAR SHETTY

AGE: 22 YEARS

UNI. REGISTRATION NO.18M2803 ADDRESS: BELAGAVI INSTITUTE OF

MEDICAL SCIENCES, CHETANA GIRLS HOSTEL, DR. B.R. AMBEDKAR ROAD BELAGAVI 590001

29. TEJASHWINI KASHIGOUDAR

FATHER'S NAME: RAJENDRAGOUDA S K

AGE: 22YEARS

UNI. REGISTRATION NO: 18M2820 ADDRESS: BELAGAVI INSTITUTE OF MEDICAL SCIENCES, CHETANA GIRLS HOSTEL, DR. AMBEDKAR ROAD,

BELAGAVI 590001

30. AKASH BASAVARAJ KEMPAR

FATHER'S NAME- BASAVARAJ KEMPAR

AGE: 22 YEARS

REGISTRATION NO.18M6151 ADDRESS: HALAPETI ONI WARD NO.2 KERUR 587206 DT- BAGALKOT

31. SARTHAK P

FATHER'S NAME: R.L. PARAMESHWARAIAH

AGE: 23 YEARS

UNI. REGISTRATION NO. 18M0631 ADDRESS: 202 SHIMSHA BLOCK NATIONAL GAMES VILLAGE

KORAMANGALA

32. THEJAS K B

FATHER'S NAME-K BHEEMANA GOWDA

AGE: 22 YEARS

UNI REG NO.18M4090

ADDRESS: NO.5536/7, 4TH MAIN 1ST CROSS, SS LAYOUT B BLOCK,

DAVANGERE-577004

33. LOHIT NAGARAJAN MAHALINGAM

NAGARAJAN SM AGE: 23 YEARS 18M3974 JJMMC DAVANGERE

34. MATHEAN RAZAQ

FATHER'S NAME: MOHAMED RAHMATHULLA

AGE: 23 YEARS

UNI. REGISTRATION NO.17M5232 ADDRESS: FLAT 304 SRI LORVEN

RESIDENCY,

OPPOSITE TO SOUL SPACE ARENA MALL (TOTAL MALL),

DODDANEKUNDI, BENGALURU-560037

35. BOYAPATI SAI CHARITHA

FATHER'S NAME: B SANKARAPPA

AGE: 23 YEARS

UNI. REGISTRATION NO.15M3423

ADDRESS: MVJ MEDICAL COLLEGE AND

RESEARCH HOSPITAL,

HOSKOTE,

BANGALORE 562114

36. KARTHIK K

FATHER'S NAME - KRISHNA NAIK

AGE: 28 YEARS

UNIVERSITY REGISTER NO.10M7430 ADDRESS: NO.143, VIGNESHWARA

NILAYA, 6TH CROSS, DEVARAJ URS NAGAR, SHIVAMOGGA 577204

37. DHANUSRAM K

FATHERS NAME-M KRISHNARAJ

AGE: 26 YEARS REG NO.14M9175

ADDRESS: SHRIRAM SMIRITHI

APPARTMENTS

CENTRAL BLOCK CB 403

ATTIBELE SARJAPURA ROAD

BIDERGUPPE

BANGALORE -562107

38. SIMRAN YADAV

FATHER'S NAME: VIJAY KUMAR YADAV

AGE: 24 YEARS

UNI. REGISTRATION NO: 17M4541

ADDRESS: 15/S

RK CHATTERJEE ROAD, KASBA KOLKATA 700042

39. SUJAN S

FATHER'S NAME : DR SIDDANA GOWDA

AGE: 22 YEARS

UNIVERSITY REG NO.17M1129 ADDRESS:'KANASU '5A' CROSS

1ST MAIN BAYALU

ANJANEYA TEMPLE ROAD

HANUMANTHAPURA TUMKUR 572103

40. SHASHANK SHETTY

FATHER'S NAME: SUMANTH SHETTY

AGE: 22 YEARS

UNI. REGISTRATION NO.17M7018

ADDRESS: F-1102 STERLING TERRACES

100 FEET RING ROAD

BSK 3RD STAGE

BANGALORE-560085

41. AKASH RAJ

FATHER'S NAME: ASHOK KUMAR GUPTA

AGE: 27 YEARS

UNI. REGISTRATION NO.16M0405

ADDRESS: NEW SIDHUALI DALMIANAGAR, ROHTAS,

BIHAR 821305

42. SHASHANK M

AGE: 22 YEARS

FATHER'S NAME: MALLIKARJUNA M.,

UNI REG NO.18M4056

ADDRESS: JJM MEDICAL COLLEGE

DAVANAGERE

43. CHIKKU RAJEEV

FATHER'S NAME - RAJEEV T R

AGE 25 YEARS

REG NO.17 M 4532

ADDRESS: THAKADIYEL HOUSE PONKUNNAM PO PONKUNNAM

KOTTAYAM DISTRICT

KERALA 686506

44. MEGHASHREE M

FATHER'S NAME: M. SHANKAR

AGE: 23 YEARS REG NO. 17M4843

ADDRESS: JADALATHIMMANAHALLI,

KANDAVARA(P),

CHICKBALLAPUR(T) & (D)

45. PRAJWAL HOSAMANI

AGE: 23 YEARS

FATHER'S NAME: ASHOK HOSAMANI

UNIVERSITY REG NO.17M1733

ADDRESS: C/O P.C. MUNNOLLI, NO-62

SWAMI VIVEKANAND NAGAR

SANTOSH COLONY

NEAR MILLENNIUM SCHOOL,

ALAND ROAD

KALABURGI 585101

46. AKRAM KHAN

FATHER'S NAME: REHMAT KHAN

AGE:26YRS

UNIVERSITY REGISTRATION

NO.17M1662

ADDRESS: V.P.O. PIPROLI THE.

RAMGARH DIST. ALWAR

RAJASTHAN

47. PRATIBHARANI C JAWARI

AGE: 23 YEARS

FATHER'S NAME: CHANDRAKANTH S JAWARI

UNIVERSITY REGISTRATION

NO.17M1735

ADRESS: AT POST JEEVANGI,

TQ KAMLAPUR,

DIST: KALABURAGI 585313

48. GOWTHAM RAM B

FATHERS NAME: M.BOOPATHI

AGE: 23 YEARS

UNI REG NO. 15M7049

ADDRESS: 8/77 THATHAMPATTY,

CHIDAMBARAPATTY, NAMAKKAL DISTRICT, TAMILNADU-637405

49. AMUDHAN M. B.

FATHER'S NAME: M.BALAJI

AGE:28 YEARS

UNI. REGISTRATION NO.11M8008

ADDRESS:NO 11, MAIN ROAD, JAVARANAHALLI, B.G. NAGAR.

NAGAMANGALA TQ, MANDYA-571448

50. NIKITHA G.R.

FATHER'S NAME: RAVINDRA GM

AGE: 27 YEARS

UNIVERSITY REGISTRATION

NO.12M7054

ADDRESS: 1ST CROSS, V.V. NAGAR

KALLAHALLI, MANDYA 571401

51. SENTHAMIZH SELVI. R

FATHER'S NAME: R.RAMESH

AGE: 28 YEARS

UNI. REGISTRATION NO.11M8074

ADDRESS: MANJULA HOUSE,

NAGAMANGALA TK,

MANDYA DIST,

KARNATAKA-571448

52. SUBHASH CHANDER

FATHER NAME - BHAGIRATH

AGE: 25 YEARS

REG. NO.18M2812

ADDRESS - BELAGAVI INSTITUTE OF

MEDICAL SCIENCES BOYS HOSTEL

NEAR BIMS MEDICAL COLLEGE

DR. AMEDKAR ROAD

BELAGAVI 590001

53. BASAVASHREE

FATHER'S NAME: HAVAYYA SWAMY

REG NO.16M4710

AGE: 23 YEARS

ADDRESS: SANGMESHWAR COLONY

GUMPA,

BIDAR

54. RAVI S PATNAIK

FATHER'S NAME: GANAPATHI PATNAIK

AGE: 40 YEARS

UNI. REGISTRATION NO.97M1979

ADDRESS: HIG-1-78, VASAVI NILAYAM,

SAGARNAGAR, VISAKHAPATNAM

ANDHRA PRADESH 530045.

55. MRUDULA RAO M

FATHER'S NAME: ADISHANKAR RAO

AGE: 22 YEARS

UNI. REGISTRATION NO: 18M4801 ADDRESS: 1-75/1, SITE NO: 99

1ST BLOCK, KATIPALLA, MANGALORE - 575030

56. PANNAGA K SHETTY

FATHER'S NAME - A N KUSHAL SHETTY

AGE: 22 YEARS

REGISTRATION NO.17M2800

ADDRESS: 'PANNA-PADMA', BIRTHI, NEAR WATER TANK, SALIKERI POST, VARAMBALLI VILLAGE, BRAHMAVAR 576213 UDUPI

57. S. ANANDHA SELVI

FATHER'S NAME: T. SHANTHARAJ

AGE: 28 YEARS

UNI. REGISTRATION NO.14M9159 ADDRESS: 109, 3RD BLOCK UPKAR OAKLAND APPARTMENTS ATTIBELE **BANGALORE**

PHONE NO.9845698295

EMAIL ID:

SELVIANANDHA3022@GMAIL.COM

58. BASIL VARGHESE PAUL

FATHER'S NAME: PAUL VARGHESE

AGE: 28 YEARS

UNI. REGISTRATION NO.13M3799

ADDRESS: NO.104.A,

PUTHUSSERY HOUSE, MEKKAD P.O,

KONGOTHRA,

ANGAMALY, ERNAKULAM 683578

59. RAKSHITH US

FATHER'S NAME: SIDDAIAH

AGE:23 YEARS

ADDRESS: VIDYANAGAR,

HASSAN

UNI.REG.NO:17M2571

60. KISHORE KUMAR

FATHER'S NAME: MARUTIRAO HOSMANI

AGE: 23 YEARS

UNI. REGISTRATION NO.17M1701

ADDRESS: 13-341

SHIVA SADANA KEB ROAD BESIDES TIRANDAZ TALKIES

SHAHABAD

GULBARGA 585228

KARNATAKA

61. MD IMRAN AHMED ATTAR

FATHER'S NAME: MD MAQBOOL AHMED ATTAR

AGE:32 YEARS REG NO:07M7694

ADDRESS: RIMS BOYS HOSTEL.

HYDERABAD ROAD

RAICHUR.

62. PREM KUMAR

FATHER'S NAME: SINGARAVADIVELAN

AGE:26 YEARS

UNI.REGISTRATION NO.15M3160

ADDRESS:NISARGA 2ND FLOOR, 4TH MAIN, ANJANEYA BADAVANE DAVANGERE 577004, KARNATAKA

63. KADEEJA LIFAAM

FATHER'S NAME: ALIHI NATTI IBRAHIM

AGE: 27 YEARS

UNI. REGISTRATION NO.13M8379

ADDRESS: SUBBAIAH MEDICAL COLLEGE,

SHIVAMOGGA, KARNATAKA

64. VISHNUTEERTH G.K.,

FATHER NAME: GIRIDHAR KULKARNI

AGE: 22 YEARS

UNI.REGISTRATION NO: 17M4645 ADDRESS: SAPTAGIRI PLOT NO. 20

OZA LAYOUT GULBARGA

65. S S KRISHNA

FATHER'S NAME: SURESH KUMAR S.,

AGE: 23 YEARS

UNI REGISTERATION NO. 17M4362 ADDRESS: SUBBAIAH INSTITUTE OF

MEDICAL SCIENCE,

PURLE, SHIMOGA

66. S. VISHWA VINODHINI

FATHER'S NAME: SIVAKUMAR

AGE: 25 YEARS

UNI REG NO.14M0909 ADDRESS: PTA 103, GOLDEN BLOSSOM, OPP SAI BABA ASRAM,

KADUGODI

67. ABHIKALP YADAV

AGE: 22 YEARS

FATHER'S NAME: DR. ANIL KUMAR YADAV

UNIVERSITY REG NO.17M6917

ADDRESS: 2ND CROSS KUMAR LAYOUT SHAMPURA

BANGALORE

68. SHIVANGI KUSHWAH

AGE: 23 YEARS

FATHER'S NAME: BHAGWAN SINGH KUSHWAH

REG NO.17M6941

ADDRESS: 60 /276 SANT BUDDHA RAM

INTER COLLEGE,

KHERIA MOD JAGNER ROAD

AGRA 282001

69. PREETHAM S ITAGI

FATHER'S NAME: SANNASIDDAPPA B ITAGI

AGE: 23 YEARS

UNI REGISTRATION NO.18M4205

ADDRESS: S B ITAGI

ASHOK NAGAR 3RD CROSS NEAR SUJAN HOSPITAL,

RANEBENNUR

70. PRAJWAL P SHETTY

AGE: 23 YEARS

FATHER'S NAME: PRASHANTH KUMAR SHETTY

UNIVERSITY REG NO.16M6321

ADDRESS: RAMA KRISHNA CLINIC, B.H. ROAD, CHIKKANAYAKANAHALLI,

TUMKUR DIST 572214

71. M Y AISHWARYA

AGE: 25 YEARS

FATHER'S NAME: M N YADAVENDRA PRASAD

UNI REGISTRATION NO.15M7716 ADDRESS: NO.711, 8TH MAIN 9TH CROSS, BTM LAYOUT 2ND STAGE, BANGALORE 560076

72. FAIZ ABDULLAH

FATHER'S NAME: ABDULLAH MALI

AGE: 24 YEARS REG. NO.17M1982 ADDRESS: 605 PEARL BLOCK DIAMOND CITY MARNAMIKATTE JEPPU MANGALORE

73. SHAIK RAHEMAT ALI

AGE: 23 YEARS

FATHER'S NAME: SHAIK MAHEBOOB ALI

REG NO.17M2356

ADRESS: JYOTHI COLONY

KALABURAGI ROAD SEDAM, TQ:SEDAM.

DIST: KALABURAGI

74. MOHAMMED JAFFERSADIQ

FATHER'S NAME: MOHAMMED HASHAM

AGE: 23 YEARS REG NO.17M2316

ADDRESS: VIJAYPURA 1ST CROSS

MEKKA MASJID ROAD CHIKMAGALUR 577101

75. JATTINGARAY G. JIDDIMANI

FATHER'S NAME: GADIGEPPA H JIDDIMANI

AGE: 24 YEARS

UNI. REGISTRATION NO.17M1696 ADDRESS: BIMS BOYS HOSTEL

BELAGAVI

76. SANKARE T.,

FATHER'S NAME: THANGARAJ V.,

AGE: 25 YEARS

UNI REG NO. 14M9256

ADRESS: 3/442, ELLAIMARIAMMAN KOVIL STREET, AVATHIPALAYAM, AGRAHARAM POST, PALLIPALAYAM, THIRUCHANCODE,

ERODE 638008

77. VEERESH MALAGI

FATHER NAME: MANJUNATH K MALAGI

AGE: 23 YEARS

UNIVERSITY REGISTRATION NO.17M5073 ADDRESS: GURUBASAVA BOYS HOSTEL BAGALKOT S N MEDICAL COLLEGE

BAGALKOT

78. TEJASWINI N.,

FATHER'S NAME: V NAGARAJU

AGE: 22 YEARS

UNI. REGISTRATION NO.18M1632 ADDRESS: No.146 SRI NIVASA

PILLANNA LAYOUT

NELAGADARANAHALLI MAIN ROAD

NAGASANDRA

BANGALORE 560073

79. KRIPALI RAI

FATHER'S NAME: PURANDARA RAI

AGE: 24 YEARS

UNI. REGISTRATION NO.17M2891 ADDRESS: 601 C2 MAURISHKA PARK, PVS CIRCLE KODAIALBAIL MANGLORE 575003.

..PETITIONERS

(BY SRI ABHISHEK MALIPATIL, ADVOCATE)

AND

- 1. RAJIV GANDHI UNIVERSITY OF HEALTH SCIENCES, 4TH 'T' BLOCK, JAYANAGAR, BENGALURU-560 041. REPRESENTED BY ITS REGISTRAR,
- 2. THE NATIONAL MEDICAL COMMISSION, POCKET-14, SECTOR-8, DWARAKA PHASE 1, NEW DELHI 110077.
 REPRESENTED BY THE EXECUTIVE SECRETARY.

..RESPONDENTS

(BY SRI HARISH GANAPATHI, ADVOCATE FOR R1; SRI N. KHETTY, ADVOCATE FOR R2)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO DIRECT R1 AND R2 ADDITIONAL VALUATIONS OF THE FAILED SUBJECTS OF THE MBBS (RS3) EXAMINATIONS OF FEBRUARY 2022 UNDERTAKEN BY ALL THE PETITIONERS, STRICTLY IN TERMS OF REGULATION 13 OF THE MEDICAL COUNCIL OF INDIA GRADUATE MEDICAL EDUCATION REGULATIONS 1997 INCLUDING DEVIATION VALUATIONS

ON THERE BEING A DIFFERENCE OF 15 PERCENT MARKS BETWEEN ALL THE EVALUATORS IN TERMS OF ORDER DATED 01.07.2021 PASSED IN W.P.NO.10244/2021 AND CONNECTED WRIT PETITIONS VIDE ANNEXURE - C AS PER THE LAW ALREADY DECLARED BY THIS HONBLE COURT IN THE EARLIER WRIT PETITION, ETC.

THIS WRIT PETITION COMING ON FOR ORDERS, THIS DAY, THE COURT MADE THE FOLLOWING:

<u>ORDER</u>

- Sri Harish Ganapathi, learned counsel accepts notice for respondent No.1.
- 2. Sri N. Khetty, learned counsel accepts notice for respondent No.2.
- The petitioners are before this Court seeking for the following reliefs;
 - "i) Issue a writ or order or direction in the nature of mandamus directing respondent No.1 to conduct 2 additional valuations of

the failed subjects of the MBBS (RS3) Examinations of February 2022 undertaken by all the petitioners; strictly in terms of Regulation 13 of the Medical Council of India Graduate Medical Education Regulations, 1997; including deviation valuations on there being a difference of 15% marks between all the evaluators; in terms of order dtd.01.07.2021 WP passed in No.10244/2021 and connected writ petitions vide Annexure-C; as per the law already declared by this Hon'ble Court in the earlier writ petitions;

- ii) Issue a writ or order or direction in the of mandamus directina nature respondent No.1; that after accomplishing the additional valuations, to compute the results of the petitioners of the 'failed subjects' by taking average of the top two marks from amongst the four/five valuation marks; as is being done for the 'passed subjects'; and to announce the results afresh well before the conduct of the supplementary MBBS Theory RS3 Examinations of May 2022 scheduled to commence from 05.05.2022 as per the notification No.R(E)DR-I/MBBS-Exam/Jan-Feb/ 22/120/2021-22 dated 05.04.2022 vide Annexure-B; and
- iii) Issue any other appropriate writ or order or direction as this Hon'ble Court deems fit to grant in the ends of justice."

- The petitioners appeared in MBBS RS-III
 examination conducted in February 2022 by the
 University.
- The petitioners are MBBS students admitted to the said course in the college affiliated to respondent No.1.
- 6. The grievance of the petitioners are that only two valuations of their MBBS (RS3) examination of February, 2022 has been conducted, even though as per Regulation 13 of the Medical Council of India Graduate Medical Education Regulations, 1997 there have to be four valuations conducted.
- 7. The issue in the present matter is no longer *res* integra, this Court as in Writ Petition No.7999 of

2022 vide order dated 19.04.2022 dealt with the same and at para 4 held as under:-

"In view of same, this writ petition is disposed of in terms of the decision in Ms. Nireeksha (supra). Accordingly, respondent / University is directed to conduct two additional valuations of the failed subjects of the MBBS (RS3) Examinations of February undertaken by the petitioners herein in terms of Regulation 13 of the Medical Council of India Graduate Medical Education Regulation, 1997; which shall include deviation valuation if there is difference of 15% marks between all the evaluators in terms of order dated 01.07.2021 passed in W.P.No.10244/2021 and connected matters (Annexure-E) within a period of two weeks from today."

8. In view of the above, I pass the following:

<u>ORDER</u>

The Respondent – University is directed to conduct two additional valuations of the failed subjects of the petitioners for MBBS (RS3) Examinations of February/March, 2022

in terms of Regulation 13 of the Medical Council of India Graduate Medical Education Regulation, 1997, which shall include deviation valuation, if there is difference of 15% marks between the evaluators, the deviation valuation to be conducted by 5th May 2022, when the next exam is scheduled.

Sd/-JUDGE

SBS