

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.9052 OF 2022 (EDN-RES)

BETWEEN:

1. LAKSHAN M. REDDY
S/O MALLESHA K. REDDY
AGED ABOUT 21 YEARS
REG NO.18M2486
R/O NO.414, 5TH A MAIN
CLASSIC PARADISE LAYOUT
BENGALURU-560068
2. S. GHRUTHA
D/O S S SWAMY
AGED ABOUT 23 YEARS
REG NO.17M3273
R/O SHARAVATI HOSTEL
MCC B BLOCK, MAMAS JOINT ROAD
DAVANAGERE-577001
3. B SAMANTHA
D/O B SREENIVASULU
AGED ABOUT 23 YEARS
REG NO.16M3075
R/O VYDEHI INSTITUTE OF MEDICAL SCIENCE
AN RESEARCH CENTER, BENGALURU
4. SOURYA SAMBIT BISWAR
S/O ANTARYAMI BISWAL
AGED ABOUT 26 YEARS
REG NO.13M1843
R/O S H LAYOUT
2ND CROSS, BANGALORE
5. KANNAN S PILLAI
S/O S SUBRAMANYA PILLAI
AGED ABOUT 22 YEARS

REG NO.18M2477
R/O SHRI SHAILA NILAYA
IST MAIN, 2ND CROSS
BHUVANESHWARI LAYOUT
GURUPURA, SHIMOGA-577201

6. ABHSIHEK MATHAD
S/O PRABHAKAR MATHAD
AGED ABOUT 23 YEARS
REG NO.18M1122
R/O C/O AMRUT ASPATHRE HEGGANAVAR
BUILDING BUS STAND ROAD
GOKAK DIST, BELGAUM-591307
7. SHREYA PUJERI
D/O ULAVAYYA PUJERI
AGED ABOUT 22 YEARS
REG NO.18M4559
R/O HOUSE NO.32
BHAVASAR NAGAR
SHREYA HOSPITAL BUILDING
JAIL ROAD, VIAJAYPURA
8. MONIKA S H
D/O GOPAL SETTY
AGED ABOUT 23 YEARS
REG NO.17M5729
R/O VYDEHI INSTITUTE OF MEDICAL
SCIENCES AND RESEARCH CENTRE
BANGALORE-560066
9. RACHANA V
D/O VENKATA RANGA REDDY
AGED ABOUT 22 YEARS
REG NO.17M5760
R/O VYDEHI GIRLS HOSTEL
VYDEHI INSTITUTE OF MEDICAL
SCIENCES AND RESEARCH CENTRE
NALLURAHALLI ROAD, WHITEFILED
BANGALORE
10. MOHINUDDIN SUFIYAN BAIG
S/O MAHAKUM KHAN
AGED ABOUT 24 YEARS
REG NO.17M6782
R/O NO.39, 4TH CROSS

GANGONDANAHALLI
BANGALORE-560039

11. MOKSHITH S G
S/O P S GANGADHARA GOWDA
AGED ABOUT 22 YEARS
REG NO.17M3231
R/O ASHIRVAD
70/1G, 3RD CROSS
MARAMMA TEMPLE ROAD
HULIMAVU, B G ROAD
BENGALURU-560076
12. JUNAID J MULLA
S/O. JAWEED MULLA, AGED 23 YEARS,
REG. NO. 17M6830
R/O. HOUSE NO 8/1, LS TANK.ROAD,
MELMADDL, DHARWAD-580007
13. S R REHAN RAZA ALI KHAN
S/O. SA RAHAMATHULLA KHAN, AGED 23 YEARS,
REG. NO. 17M6799
R/O. 2ND MAIN 12TH CROSS
JC EXTENSION HARIHAR 577601
14. KOTA SPANDANA
D/O. K.S.BUTCHI BABU, AGED21 YEARS,
REG. NO. 17M5838
R/O. VYDEHI INSTITUTE OF MEDICAL SCIENCES
AND RESEARCH CENTRE BANGALORE 560066
15. SUNIL T P
S/O. PUTTARAJU T H, AGED 24 YEARS,
REG. NO. 17M2084
R/O. CIMS BOYS HOSTEL
CHAMARAJANAGARA571313
16. AMBEKAR KASI PRIYA
D/O. A.SIVANANDA RAO, AGED24 YEARS,
REG. NO.18M2989
R/O. 21/395, SKD COLONY,4TH ROAD,
ADONL, KURNOOL DISTRICT, ANDHRA PRADESH
17. VEERA HARIPRASAD
S/O. S SHAM SUNDAR, AGED 22 YEARS,
REG. NO. 17M4211.
R/O. AGADL MARAPPA COMPUND,

2ND STAGED, BELLARY
KARNATAKA,583101

18. RIFSHA AFROZ
S/O. AFROZ ALAM, AGED23 YEARS,
REG. NO. 18M3045
R/O. KAZIM ALI HARDWARE,
BARWADLH, GIRIDIH
19. ANKITH D.
D/O. DR Y L DEVARAJU, AGED24 YEARS,
REG. NO. 17M5508
ADDRESS NO.154, DAVANA 5TH MAIN
SHARADHA DEVI NAGARA, OPP MG
STADIUM NEAR FORTIS HOSPITAL
BANGALORE
20. SYED QUAID IMRAN
S/O. SYED RASHID ALI
AGED24 YEARS, REG NO 17M4614
ADDRESS HNO 832 NEAR OLD TMC
OFFICE MAIN ROAD CHLTGUPPA 585 412
21. NOOT MUZAMMLL KHAN
S/O. NOOR PASHA Y M
AGED 23YEARS, REG. NO. 17M6429
R/O. 596/16 75TH B CROSS
10TH G MAIN 6TH BLOCK RAJAJLNAGAR
BANGALORE-560010
22. TIPARANI V D D SAI RAM
D/O. BALA MURALI KRISHNA TIPARANI
AGED 22 YEARS, REG NO.18M3470
R/O. AJIMS AND RC, MANGALORE
23. ABHIRAM B CHAND
S/O. BHANU CHAND P
AGED22 YEARS, REG. NO. 18M3335
R/O. NO 939, 21ST MAIN, 9TH CROSS,
J P NAGAR 2ND PHASE, BANGALORE 560078
24. NYAME ZIRDO,
S/O. GENYA ZIRDO
AGED 23 YEARS, REG. NO. 17M5622
ADDRESS MOWB 2, ITANAGAR,
ARUNACHAL PRADESH

25. H. SWASTHIK RAO
S/O. SHARATH RAO
AGED 22 YEARS, REG. NO. 18M3377
ADDRESS HOSAMANE MADRABETTU
CHIBIDRE, BELTHANGADY TQ, MANGALORE.
26. ZANAYAL SHAAZ SHAHUL
S/O. DR ZAKI AHMED
AGED 23 YEARS, REG. NO. 17M6824
R/O. MOHTISHAM ORCHARD BALMATTA,
ARYA SAMAJ ROAD MANGALURU575002
27. SONU R,
D/O. RAKESH, AGED 21 YEARS,
REG. NO. 18M3308,
R/O. AVE MARIA HOSTEL KANKANADV
MANGALORE
28. A. R. BHARADWAJ
S/O. S AJAYAKUMAR
AGED 22 YEARS, REG. NO. 18M3736
R/O. BHARATH, NEDIYAMCODE,
PARASUVAIKAL. P. O, PARASSALA-695508
29. RAJDIP NATH
S/O. RAJESH NATH
AGED 23 YEARS, REG. NO. 16M1207
R/O. RAJARAJESWARI MEDICAL COLLEGE
AND HOSPITAL, BOYS HOSTEL, BANGALORE.
30. CHARAN RAJ D
S/O. DEVA RAJ
AGED 25 YEARS, REG. NO. 15M2673.
R/O NAGANAYAKANAHALLI, ANEKAL, BANGALORE
31. FATHIMA RISLV M.K.
D/O. K SALIM
AGED 23 YRS, REG. NO. 17M4062,
R/O. 'ROSEAL', KULAM BAZAAR,
MUZHAPPLLANGAD P.O, KANNUR,
KERALA-670662
32. MADHURA RAMESH
D/O. RAMESH PADMANABHAN
AGED 23 YEARS, REG. NO. 17M6927
R/O. 1108, BWING, GODREJ PLATINUM,

HEBBAL, BANGALORE 560024.

33. RAHUL RAVINDRANATH MARLA
S/O. RAVINDRANATH MARLA
AGED 21 YEARS, REG. NO. 18M3429,
ADDRESS MANORAMA, OLD MARLGUDL ROAD,
SURATHKAL, MANGALORE
34. ULLLPAYALA YAMUNA
D/O. U. SUBRAMANYAM
AGED 28 YEARS, REG. NO. 11M2593
R/O. NAVODAYA GIRLS HOSTEL,
RAICHUR-584101
35. STHIMITH P. SHETTY
S/O. G.P.SHETTY
AGED 26 YEARS, REG. NO. 13M3378
R/O. 78, 3RD TC MAIN ROAD,
M.L.A LAYOUT, R.T.NAGAR,
BENGALURU-560032
36. B. VINAY M.
S/O. B.MANJESH
AGED 26 YEARS, REG. NO. 13M0400
R/O. 71, 6TH CROSS, RMV GALLERIA,
YELLHANKA ROAD, BENGALURU
37. SAI SANKEERTH REDDY PAKALA
S/O. LINGAREDDY PAKALA
AGED 22 YRS, REG. NO. 18M2522
R/O. FLAT NO 10, SHILPITHA CASCADE,
KAGGADASAPURA 6TH G CROSS, BALAJI LAYOUT,
C.V.RAMAN N POST, BENGALURU-560093
38. SHREEVANI M.,
D/O. DR. SURENDRA BABU
AGED 21 YEARS. REG. NO 18MM6265
R/O. FT.NO 301, 4TH FLOOR, MALLIGE RESIDENCY,
NEAR BASAVA HOSPITAL, LLNGASUR ROAD, RAICHUR
39. RASHMI SINGH.
D/O. DEEPAK KUMAR SINGH
AGED 25 YEARS, REG. NO. 17M4383
R/O. SACHIN SARDAR SARANI,
COLLEGE PARA, SLLLGURL, WEST BENGAL

40. AHMED NAWAZ
S/O. NISAR AHMED
AGED 23, REG NO .17M4550
ADDRESS. BAREY HILLS, ADARSH NAGAR
KALABURAGI.
41. PRATYUSH MAYANK
S/O. SATYENDRA NARAYAN YADAV
AGED 30 YRS, REG. NO. 10M2267
ADDRESS FLAT NO. B 103, CONFIDENT
CANOPUS APT. MALLIMAKANAPURA,
HOSAKOTE, BANGALORE-562114
42. ROSHAN
S/O. MAHABOOB SAB
AGED 23 YEARS, REG. NO. 18M6244
R/O. H.NO 13354 MPCL
COLONY ASHAPURA ROAD RAICHUR
43. A C SHIVADHARSHNE,
D/O. J ASHOK KUMAR,
AGED 21 YEARS, REG. NO. 18M1269
R/O. PLUMERLA HAVEN APARTMENTS,
LNDLRANAGAR, BANGALORE
44. VISHESH KUMAR
S/O. MR. VLRENDRA KUMAR
AGED 27, UNI. REG NO. 13M7367
ADDRESS KEDAR BOYS HOSTEL, S.N MEDICAL
COLLEGE BAGALKOT
45. SUDARSHAN L
S/O. ANANTHA L
AGED 22 YEARS, UNI. REG. NO 18M3465
R/O. MIG B 707 SURYACITY PHASE 1
CHANDAPURA, BANGALORE 560099
46. ABHINAV P
S/O. P SURESH BABU
AGED 22 YEARS, UNI REG NO. 17M4098
ADDRESS WARD NO 1 RENUKA NAGAR
BESIDE GOVINDAPPA KALYANA MANTAPPA
TALUR ROAD BELLARY-583101
47. K SAMRUDH ALVA
S/O. K CHIDANANDA ALVA
AGED 23 YEARS, REG. NO. 18M4517,

R/O. SDM MEDICAL COLLEGE ,
DHARWAD 580009

48. RANJITA B KESARI,
D/O. BASAVARAJ K,
AGED 24 YEARS, REG. NO 18M3697
R/O. SDM MEDICAL COLLEGE DHARWAD
49. ANANYA MURALI
D/O. MURALI MAHALINGAM
AGED 21 YEARS UNI. REG. NO 18M1286
R/O. M12, SECTOR 10, 6TH MAIN,
JEEVANBHEEMANAGAR, BANGALORE-560075
50. KARTIK P.
S/O. MALLAPPA P.,
AGED 23 UNI. REG. NO 16M3840
R/O. HNO 187 VIDYA NAGAR
NEAR NO.2 BUS DEPOT GULBARGA
51. ARYA M SUKUMARAN
S/O. DR K K SUKUMARAN
AGED 26 YEARS UNI. REG. NO 15M2662
R/O. AISWARYA (H). KOOTHATTUKULAM
PO ERNAKULAM DISTRICT. KERALA-686662
52. SHRIMA HEGDE
D/O. CHANDRASHEKHAR HEGDE
AGED 22 YRS, REG. NO. 18M4560
R/O. 'SDM MEDICAL COLLEGE DHARWAD
53. NAMRATHA M RAO
D/O. RAMESH B
AGED 22 YR, REG. NO. 18M4526
ADDRESS SDM MEDICAL COLLEGE, SATTUR,
DHARWAD.
54. SANTOSHI
D/O. SURESH BIRADAR
AGED 22 YEARS, REG. NO. 18M2082
R/O. NEAR KEB, BIDAR, KARNATAKA
55. CHANDANA K
S/O. LATE K KRISHNA
AGED 22 YEAR, REG. NO. 18M2082
R/O. NEAR KEB, BIDAR, KARNATAKA

56. S N DAKSHIN,
S/O. S R NANDA KUMAR,
AGED21 YEARS, REG. NO.18M258,
R/O. SRI NANDI STORES MULBAGAL
KOLAR (DIST) KARNATAKA.
57. MUFEEDA JIMSHI
S/O. ABDUL KAREEM KP. AGE25 YEARS
REG. NO.17M2977
R/O. KARINGAPPARA (H), PUNNATHALA(PO)
MALAPPURAM (DIST) KERALA-676552
58. KRISHNA NADAVINMANI
S/O. VENKATESH
AGED26 YEARS, REG. NO. 16M2252
R/O. SHREYA NAGAR HUBLI
59. GOTTUMUKKALA SRINIDHI VARMA
S/O. GOTTUMUKKALA SRINIVAS VARMA
AGED26 YEARS, REG. NO. 13M0811
R/O. B903,ROHAN AVRITI,
ITPL MAIN ROAD, MAHADEVPURA-560048
60. N. PARNIK SWAMY
S/O. DR. N C NARAYANA SWAMY
AGED23 YEARS, REG. NO. 17M4377,
ADDRESS SAPTHAGLRI LAYOUT, NEAR
GANESHA TEMPLE, KHEELU KOTE,
KOLAR 563101
61. SREELAKSHMI NAMBLAR
D/O. V.V.VENUGOPALAN
AGED26 YEARS, REG NUM 12M0866
R/O. B BLOCK ,FLAT NO 17027, 17 TOWER,
PRESTIGE SHANTHINIKETHAM, WHITEFIELD
62. SHWETA MARIA BIJI
D/O. BIJI STEPHEN
AGED22 UNI. REGISTRATION NO18M0385
R/O. MOOLAN HOUSE RSN 201,
NEAR ST.JOSEPH HIGH SCHOOL,
ANGAMALY, ERNAKULAM 683572
63. NIHALA ASLAM
D/O. MUHAMMED ASLAM
AGED22 REG NO 17M5621

R/O. MVJ MEDICAL COLLEGE AND
HOSPITAL, BANGALORE

64. TARUN MADDLPOTI
S/O. RAMESH BABU
AGED 25 YEARS, REG. NO. 15M3465,
R/O. MVJ MEDICAL COLLEGE AND
RESEARCH, BANGALORE-562114
65. PAVITHRA S. V.
D/O VENKATA KRISHNA REDDY
AGED 26 YEARS, REG NO 13M3334
R/O. 493/J 27TH CROSS ,
18TH MAIN JUDICIAL LAYOUT,
YELAHANKA, BENGALURU
66. C.ARAVIND
S/O. V.CHINNASAMY, AGE 25
UNI. REG. NO 14M8262
R/O. NO. 83, MELKOTTAI , GUNDALAPATTI POST ,
KRP DAM VIA , GUNDALAPATTI ,
KRISHNAGIRI , TAMILNADU , 635101
67. SOHAN KALAL
S/O. BABUROA KALAL.
AGED 27 UNIVERSITY REG NO 10M7478
R/O. 13/S,MULTHANL COLONY
ALVAR RAJASTHAN 301001
68. SHRUTHI H.
D/O. DAMODARA ACHARY,
AGED 21 YEARS, REG NO 18M3460,
R/O. SRI DWARAKA11 NEAR SRI
DURGAPARAMESHWAR TEMPLE, HERGA
VIA PARKALA UDUPI
69. GNANASHREE B.
FATHER'S
D/O. BASAVARAJ M
AGED 22 YEARS, REG NO.18M0852.
R/O. KANDAKHANAHALL, MARALAKUNTE
POST, CHLCKBALLAPUR TALUK, DIST
70. MD NAWAZ
S/O. MD PYAREJAN
REG 17M4577 AGED 23

R/O. 2486, 2ND CROSS,
RAJIV NAGAR, MYSORE

71. DARSHAN SL
S/O. LAKSHMANA REDDY SV
AGED 23 YEARS, REG.NO.I6M1127
R/O. F 102 ADITHYA FRONDOSO
APARTMENT SORAHUNASE BANGALORE 560087
72. POTLURI SAIRAM,
S/O PATLURI SRINU,
AGED 24 YEARS, REG. NO. 16M6383.
R/O NEAR UNION BANK, SHANTHINAGAR,
DEVANAHALLI562110.
73. KATTAMURL BHUVANA
D/O. CHANDRA SEKHARA RAO
AGED24YRS, REG. NO. 15M1213.
ADDRESS FLAT NO COOL,NCC URBANPARK,
PATTABHLPURAM, GUNTUR,
ANDHRA PRADESH-522006
74. ANGELA ELIZABETH KURIAKOSE
D/O. KURIAKOSE KAMEL
AGED24 YEARS, UNI. REG. NO 16M5767
R/O. THE OXFORD MEDICAL COLLEGE
HOSPITAL AND RESEARCH CENTER, BENGALURU.
75. SUNAYANA SUHAS BAGALKOTKER
S/O. SUHAS BAGALKOTKER
AGED 23 YRS, REG. NO. 18M1477
R/O. 17TH CROSS 11TH MAIN
MALLESWARAM, BANGALORE
76. SABA NAAZ
S/O. FAZIL AHMED PASHA
AGED28YRS UNI. REG. NO13M2608
R/O. 2ND CROSS,C.M EXTENSION,
NEAR SHREE VIDYA SCHOOL.
77. SUNILGOUDA S PATIL
S/O. SIDDAPPAGOUDA, AGED 22 YEARS,
REG. NO. 18M2542,
R/O. HANUMAN TEMPLE, BADIGER ADDA,
HUVIN HIPPARAGI, VIJAYAPUR.

78. THEJA GOUTHAM S M
S/O. MAHADEVA S N, AGED 23 YEARS,
REG. NO. 17M3524,
R/O. NO.44, VENKATESHWARA LAYOUT,
AECS A BLOCK, SINGASANDRA,
BANGALORE 560068.
79. AMIT BANA,
S/O. TARA CHAND BANA, AGED 23 YEARS,
REG. NO. 17M3810
R/O. GANESH CIRCLE, KODIPALYA,
BANGALORE 560060.
80. THAKSHILA,
D/O. RAJESHWARI, AGED 23 YEARS,
REG. NO. 17M5605,
R/O. NO.11148, PRESTIGE TRANQUILITY,
BUDIGERE, BANGALORE562129
81. ANJANI M S
D/O. SHEKARAPPA M S, AGED 23 YEARS,
REGISTER NUMBER 18M3747,
R/O. NO. 3993/22, 19TH MAIN 4TH CROSS.
MCC 'B' BLOCK DAVANGERE-577004
82. SYED JAWADUDDIN AHMED
S/O. SYED JAMEELUDDIN AHMED
AGED 28 YEARS,
REGISTRATION NO 12M2592
R/O. NO. 16 MUKTHARUNISA ,ELLISROAD,CHENNAI,
TAMILNADU-600002.
83. MOHAMMED RASUL. S
S/O. SATHICK BATCHA, AGED 26 YEARS,
REG. NO. 14M2571,
R/O. NO. 1938263, KAVERINAGAR,
CHINNA PARK, METTUR DAM, SALEM DT,
TAMIL NADU-636401.
84. BHUVANESHWARI. N. R.
D/O. N. RAJANNA, AGED 26 YEARS,
REG. NO. 13M3273,
R/O. NO. T.S. RAO STREET, ADEPATE,
NELAMANGALA.

85. SAGIR AHAMED
S/O. ZAHIR AHAMED
AGED 28 YEARS,
REG. NO. 12M1603,
R/O. NO. KIM S MENS HOSTEL,
BSK 2ND STAGE, BANGALORE
86. MR. ANKITH S.,
S/O P. N. SRINIVASA GOWDA,
AGED ABOUT 23 YEARS,
UNIVERSITY REG. NO. 16M2810,
R/O B45, 12TH B MAIN ROAD,
B SECTOR, NEWTOWN, BENGALURU-560064
87. BODDULURU SAI,
S/O BODDULURU VEERAAIAH,
AGE 24 YEARS,
REG. NO. 14M3273, R/O 1/385
DVR PALLI, NEAR MAHALAKSHMI TEMPLE
GUDUR-524101
88. SUPREETH N.,
S/O NARASIMHA MURTH
AGE 23 YEARS,
REG. NO. 17M6441
R/O NO.30, JANANI LAYOUT,
NAGADEVANAHALL
BENGALURU-560056.

...PETITIONERS

(BY SRI. ABHISHEK MALIPATIL, ADVOCATE-PH)

AND:

1. RAJIV GANDHI UNIVERSITY OF
HEALTH SCIENCES
4TH T BLOCK, JAYANAGAR
BENGALURU-560041
REP BY ITS REGISTRAR
2. THE NATIONAL MEDICAL COMMISSION
POCKET-14, SECTOR-8
DWARAKA PHASE-I

NEW DELHI-110077
BY ITS EXECUTIVE SECRETARY

...RESPONDENTS

(BY SRI. HARISH GANAPATHY, 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 ISSUE A WRIT OR ORDER OR DIRECTION IN THE NATURE OF MANDAMUS DIRECTING THE R-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 PASSED IN W.P.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 AND ETC.

THIS PETITION COMING ON FOR PRELIMINARY HEARING, THIS DAY, THE COURT MADE THE FOLLOWING:

ORDER

1. Sri.Harish Ganapathi, learned counsel accepts notice for respondent No.1. Sri.N.Khetty, learned counsel accepts notice for respondent No.2.
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 direct the R-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 passed in W.P. 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 nature of mandamus directing the R-1 that after accomplishing the additional valuations, to compute the results of the petitioners of the "failed subjects" by taking averaged 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 schedule to commence from 05.05.2022 as per the Notification dtd. 05.04.022 vide Annexure-B.*
- iii) Issue any other appropriate writ, or order or direction as this Hon'ble Court deems fit to grant in the ends of justice.*

3. The grievance of the petitioner is that only two valuations of his 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.

4. The issue in the present matter is no longer *res integra* in view of the order passed by this Court in Writ Petition No.7999 of 2022 dated 19.04.2022 wherein this Court has dealt with the same issue and at para 4 has 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 2022 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."

4. In view of the above, I pass the following:-

ORDER

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 a 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**

In