

# Dr. Disha vs National Board Of Examinations Through ... on 21 March, 2018

**Author: Rekha Palli**

**Bench: Rekha Palli**

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\* IN THE HIGH COURT OF DELHI AT NEW DELHI  
+ W.P.(C) 2750/2018  
DR. DISHA ..... Petitioner  
Through Mr.S.D. Singh, Adv. with Ms.S.  
Shukla, Adv.  
versus  
NATIONAL BOARD OF EXAMINATIONS THROUGH ITS  
SECRETARY MEDICAL ENCLAVE ..... Respondent  
Through Mr.Kirtiman Singh, Adv. for R-1.  
Mr.Anurag Ahluwalia, Adv. for R-2.  
CORAM:  
HON'BLE MS. JUSTICE REKHA PALLI  
ORDER  
% 21.03.2018  
C.M. No.11187/2018

Exemption allowed, subject to just exceptions. The application stands disposed of.

W.P.(C) 2750/2018 Vide the present petition, the petitioner is seeking issuance of a Writ of Declaration and Quo Warranto, declaring the Regulation 14.7(F) of the Information Bulletin for National Eligibility cum Entrance Test (Post Graduate) for admission to MD/MS/Post Graduate Diploma Courses, 2018, as null and void and ultra vires being violative of the principles of natural justice and rights of the citizens as guaranteed under Articles 14, 16 and 19 of the Constitution of India. The petitioner is also seeking a writ directing the respondents to get her answer sheet re-evaluated by associating a cyber expert. The petitioner also seeks re-evaluation of the answer sheet by associating the petitioner and then declare the result.

At this stage, it may be noted that the petitioner had earlier preferred a writ petition being W.P.(C)No.1319/2018 raising a challenge in respect of the same examination with different prayers and at the time of final argument, she had confined her reliefs only to prayers (a) and (e) therein, which prayers were allowed. The present petition challenging the same examination on different grounds, is prima facie not maintainable and would be barred by constructive res judicata.

List on 21st May, 2018 for consideration.

Vide the present application, the petitioner is seeking stay of operation and effect of the entire result declared by respondent no.1 for admission in MD/MS/Post Graduate Diploma Courses and is

seeking a further direction restraining the respondents from finalising the counselling and admission process for admission in MD/MS/Post Graduate Diploma courses arising out of the examination conducted by the Respondent as NEET-PG - 2018.

In view of my prima facie view that the writ petition itself may not be maintainable, I see no reason to grant any interim relief to the petitioner at this stage.

The application is dismissed.

REKHA PALLI, J MARCH 21, 2018/aa