IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)

FRIDAY, THE SIXTEENTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE THE ACTING CHIEF JUSTICE P.SAM KOSHY
AND
THE HONOURABLE SRI JUSTICE SUDDALA CHALAPATHI RAO

WRIT PETITION NO: 35657 OF 2026

Between:

D.Parvesh Raj, S/o J.Darma Raj, Aged 19 Years, Occupation Student, R/o H.No 5-2-72/1, Yapral Village, Alwal, Hyderabad-500087.

...PETITIONER

AND

1. Union of India, Rep by its Secretary, Ministry of Health and Family Welfare, Nirman Bhavan, New Delhi.
2. The Medical Counselling Committee, Through its Director, Directorate General of Health Services, Nirman Bhavan, New Delhi.
3. The National Board of Examination, through its Director, Medical Enclave, Ansari Nagar, Ring Road, New Delhi.
4. The State of Telangana, Represented by its Chief Secretary, Health, Medical and Family welfare, Secretariat, Hyderabad
5. The State of Telangana, Represented by its Principal Secretary, Health, Medical and Family welfare, Secretariat, Hyderabad.
6. M/s. Kaloji Narayana Rao University of Health Sciences (KNRUHS), Rep. by its Registrar, Warangal, Telangana State.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of writ of Mandamus Directing Set-Asiding the proceedings of Lr.No.8888/MBBS & BDS/KNRUHS/ADMISSIONS/2026-27, DATED: 9-10-2026 issued by the

Respondent No.6 and direct the Respondent No-6 to Re-Examine the petitioner and shall assess the Disability of the petitioner afresh by assigning Valid and cogent Reasons and to consider the petitioner vide Roll No.4219104109, Application No. 260410199036, NEET ALL INDIA RANK-916121, under the PwDB Disability in accordance with the Rules of National Medical Commission.

Counsel for the Petitioner: SRI R.RAMA KRISHNA, REP.
M/s. JMS LAW FIRM

Counsel for the Respondent No.1 to 3: Ms. L.PRANATHI REDDY,
SC FOR CENTRAL GOVT.,

Counsel for the Respondent No.4 & 5: SRI A.SUDERSHAN REDDY,
ADVOCATE GENERAL

Counsel for the Respondent No.6: SRI T.SHARATH, SC FOR KNRUHS

The Court made the following: ORDER

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HON'BLE THE ACTING CHIEF JUSTICE P.SAM KOSHY
AND
THE HON'BLE SRI JUSTICE SUDDALA CHALAPATHI RAO

WRIT PETITION No.35657 OF 2026
(CNR No. HBHC01071580202)

Dated: 16.10.2026

Between:

D. Parvesh Raj S/o.J. Darma Raj

...Petitioner

AND

Union of India,
Rep. by its Secretary, Ministry of Health and Family Welfare, Nirman Bhavan, New Delhi and 5 others.

...Respondents

ORDER: *(per the Hon'ble the Acting Chief Justice P.Sam Koshy)*

Heard Sri R. Rama Krishna, learned counsel representing M/s.JMS Law Firm, learned counsel appearing for the petitioner, Ms. L.Pranathi Reddy, learned counsel appearing for respondent Nos.1 to 3 and Sri A. Sudershan Reddy, learned Advocate General appearing for the State and Mr. T. Sharath, learned Standing Counsel for the Kaloji Narayana Rao University of Health Sciences, appearing for respondent No.6.

2. The petitioner in the present writ petition is aggrieved by the order dated 09.10.2026 passed by respondent No.6 University, whereby the request for considering the case of the petitioner under the Persons with Benchmark Disabilities (PwBD) category was refused. The impugned order dated 09.10.2026 seems to have been the one which has been passed pursuant to an order dated 23.09.2026 passed by the Division Bench of this Court in W.P.No.32010 of 2026. The said writ petition got disposed of with the following observations:

> "Learned Standing Counsel for respondent No.6-University submits that in case the petitioner submits a representation, the same shall be dealt with by respondent No.6-University in accordance with law.
>
> In view of the aforesaid submissions, the Writ Petition is disposed of with liberty to the petitioner to submit a representation to respondent No.6-University with regard to his grievance. In case, such a representation is made, respondent No.6-University shall decide the same, in accordance with law, and pass a reasoned order before the next counselling. It is made clear that this Court has not expressed any opinion on the merits of the case."

3. Learned counsel for the petitioner submits that the petitioner has a disability certificate dated 25.08.2026 issued by the Niloufer Hospital, Hyderabad, which is enclosed along with the writ petition as Annexure P11, showing him to be the person under PwBD category, suffering with more than 40% disability. According to the learned

counsel for the petitioner, inspite of all these relevant documents being produced, the petitioner has not been permitted to participate in any of the counsellings, which according him is highly arbitrary and also bad in the eye of law.

4. Learned Standing Counsel appearing for the respondent No.6 University, however, submits that there is a policy decision which the University had already taken way back in the year 2017 when G.O.Ms.No.114, Health, Medical & Family Welfare (C1) Department, dated 05.07.2017, was issued wherein it has been held that the decision of the competent Medical Board has been final insofar as assessment of disability is concerned and the petitioner in the instant case, therefore, does not fall within the said category wherein he claimed any benefit.

5. At this juncture, learned counsel for the petitioner submits that the petitioner has not been examined at all by the Medical Board nor has he been considered to be a candidate under PwBD category and his candidature has been rejected.

6. Be that as it may, considering the fact that the petitioner claims himself to be a Person suffering from Benchmark Disability and he relies upon a certificate dated 25.08.2026 issued by the Niloufer Hospital, Hyderabad, reflecting the disability to be more than 40% and the Division Bench of this Court already having passed an order dated 23.09.2026 in WP No.32010 of 2026 in the case of the petitioner directing the University to consider his case. In all fairness, according to the Bench, the respondent authorities, considering the physical challenge that the petitioner is suffering from, ought have been considered the case of the petitioner sympathetically and he should have been subjected to assessment of the disability by the concerned Medical Board and thereafter ought to have been taken a decision as to whether he deserves an admission or not. In the absence of which, rejection of the representation made by the petitioner *vide* order dated 09.10.2026 seems to be in a mechanical manner without serious application of mind which, therefore, deserves to be interdicted.

7. Learned counsel appearing for the respondent No.6 University submits that the third round of counselling and the conversions are all in the process and are at the final stage.

8. In the said circumstances, we direct the respondents to permit the petitioner to the counselling and he be considered against any of the existing vacancies or left over vacancies under the PwBD category, which may still arise or which is still vacant, if required the petitioner may also be subjected to fresh assessment by the relevant Medical Board so as to ascertain the percentage of disability.

9. With the aforesaid directions, the Writ Petition is disposed of. There shall be no order as to costs.

Miscellaneous applications, if any pending, shall stand closed.

Sd/-MOHD OSMAN ALI BAIG
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Secretary, Ministry of Health and Family Welfare, Nirman Bhavan, New Delhi, Union of India.
2. The Director, Medical Counselling Committee, Directorate General of Health Services, Nirman Bhavan, New Delhi.
3. The Director, National Board of Examination, Medical Enclave, Ansari Nagar, Ring Road, New Delhi.
4. The Chief Secretary, Health, Medical and Family welfare, Secretariat, Hyderabad, State of Telangana.
5. The Principal Secretary, Health, Medical and Family welfare, Secretariat, Hyderabad, State of Telangana.
6. The Registrar, Kaloji Narayana Rao University of Health Sciences (KNRUHS), Warangal, Telangana State.

7. One CC to M/s. JMS LAW FIRM, Advocate [OPUC]
8. One CC to SRI T.SHARATH, SC FOR KNRUHS [OPUC]
9. One CC to Ms. L.PRANATHI REDDY, SC FOR CENTRAL GOVT., [OPUC]
10. One CC to SRI N.BHUJANGA RAO, DEPUTY SOLICITOR GENERAL OF INDIA, High Court for the State of Telangana at Hyderabad [OPUC]
11. Two CCs to ADVOCATE GENERAL, High Court for the State of Telangana at Hyderabad [OUT]
12. Two CD Copies

BSR

CC TODAY

HIGH COURT

HAC, J
&
SCR, J

DATED: 16/10/2026



ORDER

WP.No.35657 of 2026

DISPOSING OF THE WRIT PETITION,

WITHOUT COSTS

(15)
QBM
16-10-26.