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W.P. No.12337/2025

IN THE HIGH COURT OF MADHYA

PRADESH

AT INDORE

BEFORE

HON'BLE SHRI JUSTICE JAI KUMAR PILLAI

WRIT PETITION No. 12337 of 2025

*DR. VIJAY*

*Versus*

*M.P. PUBLIC SERVICE COMMISSION AND OTHERS*

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Appearance:

Shri Tushar Sodani - Advocate for the petitioner.

Shri VindhyaVashini Prasad Khare - for the respondent/ MP

PSC.

Ms.Drishti Rawal –GA for the respondent/State.

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WITH  
WRIT PETITION No. 12344 of 2025



***DR. PARKASH CHANDRA MARU***  
***Versus***  
***M.P. PUBLIC SERVICE COMMISSION THROUGH***  
***CHAIRMAN AND OTHERS***

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**Appearance:**

Shri Tushar Sodani - Advocate for the petitioner.

Shri Vindhyaavashini Prasad Khare - for the respondent/  
MPPSC.

Ms.Drishti Rawal –GA for the respondent/State.

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**WRIT PETITION No. 35625 of 2025**

***DR. GOPAL EEKWALE AND OTHERS***  
***Versus***  
***THE STATE OF MADHYA PRADESH AND OTHERS***

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**Appearance:**

Shri Anil Nagrani - Advocate for the petitioners.

Shri Vindhyaavashini Prasad Khare - for the respondent/ MP  
Shri Tushar Sodani - Advocate for the petitioner.

Ms.Drishti Rawal –GA for the respondent/State.

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**WRIT PETITION No. 35630 of 2025**



***DR. SANDEEP EVNE***  
***Versus***  
***THE STATE OF MADHYA PRADESH AND OTHERS***

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**Appearance:**

Shri Anil Nagrani - Advocate for the petitioner.  
Shri Vindhyareshini Prasad Khare - for the respondent/ MP  
PSC.  
Ms.Drishti Rawal –GA for the respondent/State.

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**WRIT PETITION No. 35843 of 2025**

***DR. ABHISHEK KUMAWAT***  
***Versus***  
***M.P. PUBLIC SERVICE COMMISSION AND OTHERS***

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**Appearance:**

Shri Abhinav Malhotra - Advocate for the petitioner.  
Shri Vindhyareshini Prasad Khare - for the respondent/ MP  
PSC.  
Ms.Drishti Rawal –GA for the respondent/State.

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**WRIT PETITION No. 37593 of 2025**

***DR. ATUL VERMA AND OTHERS***



*Versus*

**THE STATE OF MADHYA PRADESH AND OTHERS**

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**Appearance:**

Shri Anil Nagrani - Advocate for the petitioners.

Shri Vindhyaavashini Prasad Khare - for the respondent/

MPPSC.

Ms.Drishti Rawal –GA for the respondent/State.

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**WRIT PETITION No. 38013 of 2025**

***DR. VEENAS***

*Versus*

***M.P. PUBLIC SERVICE COMMISSION AND OTHERS***

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**Appearance:**

Shri Tushar Sodani - Advocate for the petitioner.

Shri Vindhyaavashini Prasad Khare - for the respondent/ MP

PSC.

Ms.Drishti Rawal –GA for the respondent/State.

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**WRIT PETITION No. 40895 of 2025**

***DR NAVEEN KUMAR SHARMA AND OTHERS***

*Versus*



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**W.P. No.12337/2025**

***THE STATE OF MADHYA PRADESH AND OTHERS***

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**Appearance:**

Shri Anil Nagrani - Advocate for the petitioners.

Shri Vindhyaavashini Prasad Khare - for the respondent/  
MPPSC.

Ms.Drishti Rawal –GA for the respondent/State.

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**WRIT PETITION No. 40924 of 2025**

***DR. ARTI***

*Versus*

***M.P. PUBLIC SERVICE COMMISSION AND OTHERS***

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**Appearance:**

Shri Tushar Sodani - Advocate for the petitioner.

Shri Vindhyaavashini Prasad Khare - for the respondent/ MP  
PSC.

Ms.Drishti Rawal –GA for the respondent/State.

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**WRIT PETITION No. 42381 of 2025**

***DR AMAN JAGGI***



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**W.P. No.12337/2025**

*Versus*

**THE STATE OF MADHYA PRADESH AND OTHERS**

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**Appearance:**

Shri Anil Nagrani - Advocate for the petitioner.

Shri Vindhyaavashini Prasad Khare - for the respondent/ MP

PSC.

Ms.Drishti Rawal –GA for the respondent/State.

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**WRIT PETITION No. 45243 of 2025**

**DR. SHIWANGHI RAGHUVANSHI C/O ABHISHEAK ARORA**

*Versus*

**M.P. PUBLIC SERVICE COMMISSION AND OTHERS**

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**Appearance:**

Shri Tushar Sodani - Advocate for the petitioner.

Shri Vindhyaavashini Prasad Khare - for the respondent/ MP

PSC.

Ms.Drishti Rawal –GA for the respondent/State.

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**WRIT PETITION No. 45268 of 2025**

**DR. REETU**

*Versus*



***MP PUBLIC SERVICE COMMISSION THROUGH  
SECRETARY AND OTHERS***

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**Appearance:**

Shri Tushar Sodani - Advocate for the petitioner.

Shri Vindhyaavashini Prasad Khare - for the respondent/ MP  
PSC.

Ms.Drishti Rawal –GA for the respondent/State.

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**Reserved on 12.01.2026**

**Post on 27.01.2026**

**ORDER**

Since all the present writ petitions involve common questions of fact and law arising out of identical recruitment advertisements and assailing similar impugned actions of the Madhya Pradesh Public Service Commission (hereinafter referred to as “MPPSC”), they are being heard and decided analogously by this common order.

2. It is the case of the petitioners that they are qualified medical practitioners holding Post Graduate Degrees/Diplomas (MD/MS/DNB) in their respective specialties such as General Medicine, Pediatrics, Anesthesiology, Surgery, ENT, Orthopedics, Gynecology,



Tuberculosis, and other allied disciplines. All the petitioners possess permanent registration with the Madhya Pradesh Medical Council and are either serving as government doctors or practicing as private doctors in various government hospitals/private clinics of the State of Madhya Pradesh or are practicing as medical professionals.

**3.** The Respondent (MPPSC) issued various recruitment advertisements inviting online applications for the posts of Medical Officer (Grade-I) and Specialist Doctors under the Public Health and Medical Education Department, Government of Madhya Pradesh.

**4.** It is further the case of petitioners that as per the original advertisements, the essential eligibility condition prescribed was possession of a recognized Post Graduate qualification in the concerned specialty along with Permanent Registration with the Madhya Pradesh Medical Council. Notably, no requirement of possessing or producing a separate “Post Graduate Additional Registration Certificate” as on the cut-off date was stipulated either in the advertisements or in any corrigendum issued contemporaneously.

**5.** The petitioners being fully eligible as per the notified conditions, submitted their online applications within the prescribed time. In certain cases, the application portal closed prior to declaration of PG results, while in other cases, the petitioners had already acquired the PG qualification but the process of endorsement/additional registration by



the Medical Council was pending due to administrative reasons beyond their control.

**6.** In several petitions, this Court by interim orders passed in connected writ petitions, permitted the petitioners to submit their applications and participate in the selection process, including interviews, subject to the final outcome of the writ petitions. The petitioners accordingly complied with all directions and participated *bona fide* in the recruitment process.

**7.** Subsequently, during the course of document verification or even after declaration of provisional results, the respondent (MPPSC) by issuing impugned notifications/publications rejected the candidature of the petitioners solely on the ground that their “Post Graduate Additional Registration” issued by the Madhya Pradesh Medical Council was obtained after the cut-off date of 21/04/2025.

**8.** The learned counsel for the petitioners submit that the said ground of rejection is *ex facie* arbitrary and illegal, as the requirement of obtaining PG Additional Registration by the cut-off date was never a condition of eligibility under the original advertisements, nor was such a requirement uniformly applied in similar recruitments conducted by MPPSC.



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**9.** The learned counsel for the petitioners further argue that in many instances, the respondents themselves issued admit cards, accepted documents including Permanent and Additional Registration Certificates, issued acknowledgements thereof, and even permitted the petitioners to appear in interviews, only thereafter rejected their candidature on a hyper-technical and retrospectively introduced criterion.

**10.** The petitioners contend that the delay, if any, in issuance of Additional Registration by the Madhya Pradesh Medical Council was due to administrative procedures of the statutory body, which were entirely beyond the control of the petitioners, and could not have been made as ground to deny them consideration for public employment, particularly when large numbers of posts admittedly remain vacant and unfilled.

**11.** According to the petitioners, the impugned action of the respondents amounts to changing the rules of the game after the game has begun and is violative of the principles of fairness, transparency, and legitimate expectation and infringes the petitioners' fundamental rights guaranteed under Articles 14 and 16 of the Constitution of India, and in certain cases Article 19(1)(g) as well.

**12.** Being left with no alternative efficacious remedy, and being aggrieved by the illegal, arbitrary, and discriminatory rejection of their



candidature, the petitioners have invoked the extraordinary writ jurisdiction of this Hon'ble Court under Article 226 of the Constitution of India seeking quashment of the impugned rejection notifications and consequential directions for consideration of their candidature on merits.

**13.** *Per-contra*, learned counsel appearing for the respondents submit that the Madhya Pradesh Public Service Commission is only a recruiting agency and is duty-bound to conduct selections strictly in accordance with the requisition and eligibility conditions prescribed by the State Government. The Commission has no power to relax or modify the conditions of eligibility. In the present recruitment, the selection process was carried out strictly as per advertisement and the subsequent corrigenda.

**14.** It is further argued on behalf of the respondents that the last date for submission of online applications was finally fixed as 21/04/2025, and the eligibility of all candidates was required to be assessed with reference to the said cut-off date alone. A candidate who does not possess the requisite qualification on the cut-off date cannot claim consideration. Reliance in this regard is placed upon Soumen Paul & Others v. Shrabani Nayek & Others - AIR 2025 SC 2243.

**15.** The learned counsel for the respondents contend that possession of the Post Graduate degree in the relevant specialty along with



Permanent Registration based upon such qualification was mandatory as on the cut-off date. Admittedly, the petitioners acquired the MD degree after 21/04/2025 and the corresponding registration even later. Hence, the petitioners were not eligible on the crucial date and their candidature was rightly rejected.

**16.** It is further submitted by the respondents' counsel that the petitioners furnished incorrect and misleading information in the online application by mentioning a registration not related to the essential Post Graduate qualification. Suppression of material facts disentitles a candidate from public employment, as held in **A.P. Public Service Commission v. Koneti Venkateshwarulu & Others - (2005) 7 SCC 177.**

**17.** The respondents counsel further submit that mere issuance of an admit card or interview call letter does not confer any vested right upon a candidate. The advertisement itself clearly stipulates that candidature can be rejected at any stage if the candidate is found ineligible. Cancellation of candidature even after participation in the selection process is legally permissible, as held in **Public Service Commission v. Arvind Singh Chauhan, (2009) 9 SCC 135.**

**18.** Placing further reliance on settled law, it is argued that the cut-off date prescribed in the recruitment process cannot be ignored on sympathetic or equitable grounds. If a candidate does not possess the



requisite qualification on the cut-off date, he is not eligible for the post. In this regard, reliance has been placed on State of Rajasthan v. Hitendra Kumar Bhatt, JT 1997 (7) SC 287, and Ashok Kumar Sonkar v. Union of India & Others, (2007) 4 SCC 54.

**19.** The learned counsel for the respondents also submit that prescription of qualifications and determination of eligibility fall within the domain of recruitment policy. Courts cannot expand or alter the prescribed qualifications through judicial review. This principle has been reaffirmed by the Hon'ble Supreme Court in Zahoor Ahmad Rather & Others v. Sheikh Imtiyaz Ahmad & Others - (2019) 2 SCC 404.

**20.** It is additionally contended on behalf of the respondents that the scrutiny of eligibility was undertaken by expert officers of the Public Health and Medical Education Department, who are independent of the Commission. Decisions taken by expert bodies regarding eligibility and suitability should not ordinarily be interfered with in writ jurisdiction. In respect of it, reliance has been placed on Madras Institute of Development Studies v. Dr. K. Sivasubramaniyan & Others, AIR 2015 SC 3643.

**21.** The respondents' counsel further argues that the conditions relating to submission of applications and documents within the prescribed time are mandatory and must be strictly complied with.



Courts cannot direct relaxation of such conditions once the recruitment process has commenced. In support of this contention, reliance is placed on the Full Bench decision in Rajendra Patel v. State of U.P. & Another - AIR 2015 Allahabad 161.

**22.** Finally, learned counsel for the respondents submit that the action of Respondents No.1 and 2 is legal, justified, and strictly in consonance with the advertisement, corrigenda, and settled principles of law. Since the petitioners admittedly did not fulfil the essential eligibility criteria as on the cut-off date, no interference is warranted by this Hon'ble Court and the writ petitions deserve to be dismissed.

**23.** Heard both parties at length and examined the entire record available.

**24.** Having heard learned counsel for the parties and going through the record, this Court is of the considered opinion that the controversy involved in the present batch of petitions lies in the core question as to whether the rejection of the petitioners' candidature solely on the ground that the "Post Graduate Additional Registration" was obtained after the cut-off date of 21/04/2025 is legally sustainable, when such a requirement was not expressly prescribed as an essential eligibility condition in the recruitment advertisements.



**25.** On a careful perusal of the educational qualification clause prescribed in the advertisements, it clearly emerges that the essential educational qualification is confined to possession of a Post Graduate Diploma/Degree/Super Specialty qualification in the relevant discipline recognized by the Medical Council of India. The verbatim of the educational qualification as specified in the advertisement reads as follows:-

“अनिवार्य शैक्षणिक अर्हता :-

भारतीय आयुर्विज्ञान परिषद् द्वारा मान्यता प्राप्त संबंधित विषय में स्नातकोत्तर डिप्लोमा अथवा सी.पी.एस. डिप्लोमा अथवा समतुल्य अर्हता, अथवा भारतीय आयुर्विज्ञान परिषद् द्वारा मान्यता प्राप्त संबंधित विषय में स्नातकोत्तर डिग्री, अथवा भारतीय आयुर्विज्ञान परिषद् द्वारा मान्यता प्राप्त संबंधित विषय में सुपर स्पेशलिटी डिग्री/डिप्लोमा।

वांछनीय अर्हता :-

मध्यप्रदेश चिकित्सा परिषद् में स्थायी पंजीयन अनिवार्य।”

**26.** This Court finds that the clause relating to Permanent Registration with the Madhya Pradesh Medical Council has been categorically placed under the heading “वांछनीय अर्हता (Desirable Qualification)” and not under “अनिवार्य शैक्षणिक अर्हता (Essential Educational Qualification)”. The distinction between essential and desirable qualifications is well recognized in service jurisprudence and has been authoritatively settled by the Hon’ble Supreme Court as “desirable” cannot be treated as mandatory or essential unless the



recruitment rules or advertisement clearly and unambiguously so provide. The Hon'ble Supreme Court in **Gopal Singh v. State Cadre Forest Officers' Assn. - (2007) 9 SCC 369**, has held that a desirable qualification is merely an additional qualification and not an essential one, and the relevant extract relied upon by the petitioners squarely governs the present case which reads as follows:-

*“32. The High Court while giving that finding has also considered the educational qualifications required. The qualifications required for AMM in the unamended Rules were 5 years' experience of timber trade and sawing practice. In sharp contradiction to this in the unamended Rules the qualifications for ACF were Associateship Diploma of the Forest Research Institute and Colleges, Dehradun or equivalent with the educational qualifications like degree in Natural Science, Maths, Geology, Mechanical Engineering or Agriculture from recognised university or equivalent qualification. In the unamended Rules of 1963 these qualifications were not at all there for AMM. The essential qualifications for the post of ACF, therefore, clearly suggest that for being ACF one has to have a degree in the subjects and also the diploma of the recognised Forest Research Institute. Barring the experience of the timber trade and sawing practice of five years, there was no essential qualification in the unamended Rules for the post of AMM. The degree in Science was only a desirable qualification and not an essential one. In 1973 after the amendment the post of AMM also required the essential qualifications of a degree in Civil, Mechanical or Chemical Engineering or Master's degree in Chemistry from recognised university or equivalent and three years' experience of timber or*



*sawing practice while the essential qualification for the post of ACF was the degree in Natural Science, Maths, Statistics, Geology, Mechanical Engineering, Civil or Chemical Engineering, Agriculture or Economics, etc. Therefore, one thing is clear that at least till 1973 there was no necessity on the part of AMM to be a degree-holder or to have a degree in any subject “connected with forestry” nor was a diploma of Forest Research Institute required unlike ACF. It would be clear from this that again in 1973 the degree that was required was only in Civil, Mechanical or Chemical Engineering or Master's degree in Chemistry the subjects which have nothing to do with forest. Further, unlike the ACF qualifications there was no necessity on the part of AMM to have Biology, Physics or Chemistry as subjects in Higher Secondary or Matriculation or equivalent. This itself suggests that the post of AMM was more technical based than forestry based.”*

27. This Court further holds that mere use of the word “mandatory” in relation to a desirable qualification, without placing it under the essential qualification clause creates ambiguity, and such ambiguity cannot be resolved to the detriment of the candidate. If the respondents intended to make possession of “Post Graduate Additional Registration” an essential condition as on the cut-off date, the same ought to have been clearly, expressly, and unequivocally incorporated in the advertisement. This Court is also guided by the settled principle that any vagueness or ambiguity in a recruitment advertisement must go to the benefit of the candidate



and not the employer, who is the author of the advertisement. This principle has been lucidly enunciated by this Court in Parvaiz Ahmad Parry vs. State of Jammu & Kashmir and others,CIVIL APPEAL No. 13368 OF 2015ARISING OUT OF SLP (C) No. 26131/2013

*24. In our considered view, firstly, if there was any ambiguity or vagueness noticed in prescribing the qualification in the advertisement, then it should have been clarified by the authority concerned in the advertisement itself. Secondly, if it was not clarified, then benefit should have been given to the candidate rather than to the respondents. Thirdly, even assuming that there was no ambiguity or/and any vagueness yet we find that the appellant was admittedly having B.Sc. degree with Forestry as one of the major subjects in his graduation and further he was also having Masters degree in Forestry, i.e., M.Sc.(Forestry). In the light of these facts, we are of the view that the appellant was possessed of the prescribed qualification to apply for the post in question and his application could not have been rejected treating him to be an ineligible candidate for not possessing prescribed qualification.*

**28.** This Court also does not find merit in the contention of the respondents that the requirement of “Post Graduate Additional Registration” flows from a Government Gazette notification, as it is trite law that eligibility conditions must be explicitly mentioned in the recruitment advertisement itself. A candidate cannot be expected to infer or import eligibility conditions from extraneous sources.



**29.** This Court is of the considered view that permitting the petitioners to participate in the selection process, accepting their documents, issuing acknowledgements, and allowing them to appear in interviews, followed by rejection of candidature on an unstated eligibility condition, is manifestly arbitrary and defeats the principles of fairness and transparency in public employment. The impugned rejection, having been effected during document verification or after declaration of provisional results, on the basis of a condition not forming part of the notified eligibility criteria, clearly amounts to changing the rules of the game after the game has begun, which is impermissible in law.

**30.** The law on the said issue is no longer *res integra*. The Hon'ble Supreme Court in **K. Manjusree v. State of A.P., (2008) 3 SCC 512**, has clearly held that the criteria for selection or eligibility cannot be altered after the selection process has been completed, as the same would amount to changing the rules of the game after the game has been played, which is impermissible in law. The relevant and operative observations of the Hon'ble Supreme Court read as under:-

***27. But what could not have been done was the second change, by introduction of the criterion of minimum marks for the interview. The minimum marks for interview had never been adopted by the Andhra Pradesh High Court earlier for selection of District & Sessions Judges, (Grade II). In regard to the present selection, the Administrative Committee merely adopted***



*the previous procedure in vogue. The previous procedure as stated above was to apply minimum marks only for written examination and not for the oral examination. We have referred to the proper interpretation of the earlier Resolutions dated 24-7-2001 and 21-2-2002 and held that what was adopted on 30-11-2004 was only minimum marks for written examination and not for the interviews. Therefore, introduction of the requirement of minimum marks for interview, after the entire selection process (consisting of written examination and interview) was completed, would amount to changing the rules of the game after the game was played which is clearly impermissible. We are fortified in this view by several decisions of this Court. It is sufficient to refer to three of them — P.K. Ramachandra Iyer v. Union of India [(1984) 2 SCC 141 : 1984 SCC (L&S) 214], Umesh Chandra Shukla v. Union of India [(1985) 3 SCC 721 : 1985 SCC (L&S) 919] and Durgacharan Misra v. State of Orissa [(1987) 4 SCC 646 : 1988 SCC (L&S) 36 : (1987) 5 ATC 148].*

**32. In Maharashtra SRTC v. Rajendra Bhimrao Mandve [(2001) 10 SCC 51 : 2002 SCC (L&S) 720]** this Court observed that “the rules of the game, meaning thereby, that the criteria for selection cannot be altered by the authorities concerned in the middle or after the process of selection has commenced”. In this case the position is much more serious. Here, not only the rules of the game were changed, but they were changed after the game had been played and the results of the game were being awaited. That is unacceptable and impermissible.

**31.** The said principle has been reiterated and authoritatively affirmed by a Constitution Bench of the Hon’ble Supreme Court in **Tej Prakash Pathak & Ors. v. Rajasthan High Court passed in CIVIL**



**APPEAL No.2634 OF 2013 (decided on 07.09.2024)**, wherein it has been held that the doctrine prohibiting change of rules mid-way is against the essence of Article 14 of the Constitution of India and strikes at arbitrariness in matters of public employment governed by Article 16. The relevant and operative observations of the Hon'ble Supreme Court read as under:-

*13. The process of recruitment begins with the issuance of advertisement and ends with the filling up of notified vacancies. It consists of various steps like inviting applications, scrutiny of applications, rejection of defective applications or elimination of ineligible candidates, conducting examinations, calling for interview or viva voce and preparation of list of successful candidates for appointment.*

**(B) BASIS OF THE DOCTRINE**

*14. The doctrine proscribing change of rules midway through the game, or after the game is played, is predicated on the rule against arbitrariness enshrined in Article 14 of the Constitution. Article 16 is only an instance of the application of the concept of equality enshrined in Article 14. In other words Article 14 is the genus while Article 16 is a species. Article 16 gives effect to the concept of equality in all matters relating to public employment. These two articles strike at arbitrariness in State action and ensure fairness and equality of treatment. They require that State action must be based on valid relevant principles alike to all similarly situate and not to be guided by any extraneous or irrelevant considerations. In all its actions, the State is bound to act fairly, in a transparent manner. This is an elementary requirement of the guarantee against arbitrary State action which Article 14 of the Constitution adopts. A deprivation of*



*the entitlement of private citizens and private business must be proportional to a requirement grounded in public interest.*

*15. The principle of fairness in action requires that public authorities be held accountable for their representations. Good administration requires public authorities to act in a predictable manner and honour the promises made or practices established unless there is good reason not to do so.*

*16. Candidates participating in a recruitment process have legitimate expectation that the process of selection will be fair and non-arbitrary. The basis of doctrine of legitimate expectation in public law is founded on the principles of fairness and non-arbitrariness in government dealings with individuals. It recognises that a public authority's promise or past conduct will give rise to a legitimate expectation. This doctrine is premised on the notion that public authorities, while performing their public duties, ought to honour their promises or past practices. The legitimacy of an expectation can be inferred if it is rooted in law, custom, or established procedure.<sup>17</sup> However, the doctrine of legitimate expectation does not impede or hinder the power of the public authorities to lay down a policy or withdraw it. The public authority has the discretion to exercise the full range of choices available within its executive power. The public authority often has to take into consideration diverse factors, concerns, and interests before arriving at a particular policy decision. The courts are generally cautious in interfering with a bona fide decision of public authorities which denies legitimate expectation provided such a decision is taken in the larger public interest. Thus, public interest serves as a limitation on the application of the doctrine of legitimate expectation. Courts have to determine whether the public interest is compelling and sufficient to outweigh the legitimate expectation of the claimant. While performing a balancing exercise, courts have to often grapple with the issues of burden*



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*and standard of proof required to dislodge the claim of legitimate expectation.*

**32.** This Court is of the considered opinion that the petitioners had a legitimate expectation that their candidature would be evaluated strictly in accordance with the eligibility conditions prescribed in the advertisement, and such expectation could not have been defeated by introducing an unstated requirement at a belated stage, in the absence of any overriding public interest.

**33.** The judgments relied upon by the respondents regarding strict adherence to cut-off dates and non-relaxation of eligibility do not apply to the present case, as those decisions pertain to situations where the essential qualification itself was lacking on the cut-off date. In the present case, the essential educational qualification was admittedly possessed within time.

**34.** Similarly, the reliance placed on judgments relating to suppression or misrepresentation of facts is misplaced in the present matter, as the rejection of the petitioners' candidature is not founded on any finding of deliberate suppression or fraud, but solely on a technical requirement introduced *post facto*.

**35.** In view of the foregoing discussion, this Court is of the considered opinion that if the result of the essential educational qualification, namely, Post Graduate Diploma in the relevant subject



recognized by the Medical Council of India, or C.P.S. Diploma or an equivalent qualification, or a Post Graduate Degree in the relevant subject recognized by the Medical Council of India, or a Super Specialty Degree/Diploma in the relevant subject recognized by the Medical Council of India, has been declared on or before the last extended date of submission of applications i.e. 21.04.2025, the petitioners cannot be restricted from pursuing the recruitment process. Mere non-possession or non-submission of “Post Graduate Additional Registration” as on the cut-off date shall not operate as a bar to their participation in the recruitment process.

**36.** Accordingly, all the writ petitions are allowed in the following terms:

(a) The petitioners are directed to approach the competent authority within a period of **15 days** from the date of receipt of certified copy of this order, along with the certificates/documents relating to their essential educational qualification as spelt out in the advertisement.

(b) The competent authority shall examine the said certificates/documents solely for the purpose of verifying whether the petitioners possess the essential educational qualification, namely, Post Graduate Diploma in the relevant subject recognized by the Medical Council of India, or C.P.S. Diploma or an equivalent qualification, or a



Post Graduate Degree in the relevant subject recognized by the Medical Council of India, or a Super Specialty Degree/Diploma in the relevant subject recognized by the Medical Council of India, and whether the result thereof was declared on or before the last extended date i.e. 21/04/2025, irrespective of the status of any “Additional Registration”.

(c) If upon such verification by the competent authority and if the petitioners are found to fulfil the essential eligibility criteria as mentioned above, they shall be permitted to pursue the recruitment process further in accordance with law, and their candidature shall not be rejected on the sole ground of non-submission of “Post Graduate Additional Registration”.

**37.** The above entire exercise of verification and consequential decision shall be completed by the competent authority within a further period of 45 days from the date of receipt of the documents filed by the petitioners as mandated at clause (a) of para-36 of this order.

**38.** Accordingly, the writ petitions are **allowed** in terms of the directions indicated hereinabove.

**39.** Pending applications shall be **disposed off** accordingly.

**40.** It is further directed that a copy of this order shall be kept on record in all connected writ petitions connected with the present batch of petitions.



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**(Jai Kumar Pillai)**  
**Judge**

hk/