



## THE J&K BOARD OF PROFESSIONAL ENTRANCE EXAMINATIONS

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Subject :- Cancellation of provisional admission granted in favour of Dr. Showkat Ahmad Bhat in MD Medicine SKIMS vide Notification No. 9 BOPEE 2020 dated 03.04.2020.

Ref :- Hon'ble High Court Order dated 26.05.2020.in case EMG-WPC No.20-A/2020.

ORDER NO: 52-BOPEE of 2020

Dated: 27-05-2020.

Whereas, Dr. Showkat Ahmad Bhat, approached the Hon'ble Court through medium of writ petition bearing No 20-A/ 2020, titled Dr. Showkat Ahmad Bhat V/s UT of J&K and others. praying for setting aside Notification No. 19- BOPEE of 2020 dated 17-04-2020, in terms of which he was debarred for participating in the counseling for NEET PG 2020; and

Whereas, the Hon'ble Court vide Order dated 30-04-2020 stayed the said order and directed the respondents to allow the petitioner for counseling and consequently give him provisional admission in the PG seat on his own risk and responsibility; and

Whereas, in pursuance to the said direction of the Hon'ble Court the petitioner was granted provisional admission in MD Medicine in SKIMS vide Notification No. 9 BOPEE 2020 dated 03.04.2020; and

Whereas, the Board challenged the said order by medium of LPA bearing NO.EMG- LPA NO.36-A/2020 titled J&K BOPEE v/s Dr. Showkat Ahmad Bhat and Ors and the Hon'ble Court while considering matter on 13.05.2020 was pleased to stay the operation of the order dated 30.04.2020 passed by the Hon'ble Single Judge; and

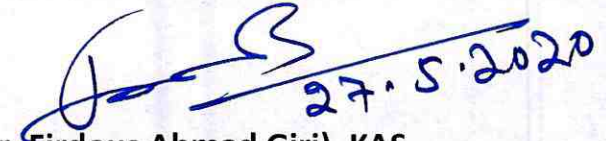
Whereas, the Hon'ble Division Bench at Jammu while considering a similar matter in case titled BOPEE v/s Dr. Sovia Anand and another bearing No. EMG-LPA No.1/2020, made a reference of the order passed by the learned single Judge in EMG-WP(C) No.20A of 2020 and Division Bench in EMG-LPA NO.36/2020 and directed that it should be heard and disposed off finally and for that matter it would be appropriate if both the matters are listed before the same bench and

for the purpose the matter be placed before the Hon'ble Chief Justice for passing appropriate orders; and

Whereas, the case came up for hearing before the Hon'ble High Court on 20-05-2020, and the Judgment was reserved; and

Whereas, the Hon'ble High Court vide its order dated 26.05.2020 dismissed the writ petition of the petitioner.

Now, therefore, in view of the above factual position, the provisional admission granted in favour of the petitioner (Dr. Showkat Ahmad Bhat) vide Notification No.9 BOPEE 2020 dated 03.05.2020 is hereby cancelled abinitio and the said seat will be filled on the basis of merit cum preference during the 2<sup>nd</sup> round counseling scheduled to be held from 28.05.2020 as per the merit cum preference of the candidates.

  
(Dr. Firdous Ahmad Giri), KAS  
Secretary,  
J&K BOPEE

No:BOPEE/Exam-12/2020

Dated:

Copy to the:-

1. Financial Commissioner, Health and Medical Education Department.
2. Director SKIMS.
3. Principal GMC Srinagar/Jammu.
4. Dr. Showkat Ahmad Bhat.
5. Pvt. Secretary to Chairman, BOPEE.