



THE J&K BOARD OF PROFESSIONAL ENTRANCE EXAMINATIONS  
 Tele/Fax: 0194-2433590, 2437647 (Srinagar); 0191-2479371, 2470102 (Jammu)  
 Website: <http://www.jkbopee.gov.in>,  
 Email: [cocjakbopee@gmail.com](mailto:cocjakbopee@gmail.com), [helpdeskjakbopee@gmail.com](mailto:helpdeskjakbopee@gmail.com), [jakbopee@gmail.com](mailto:jakbopee@gmail.com).



**Subject:** Consideration/Speaking Order in compliance of order dated: 29.08.2024 passed by the Hon'ble High Court of Jammu Kashmir and Ladakh at Srinagar in WP (C) No. 1939/2024 (CM No. 5229/2024) titled *Muskaan Farooq Vs. UT of J&K and Others*.

**NOTIFICATION NO. 98-JKBOPEE of 2024**

**Dated: 07-09-2024**

**Whereas,** one *Muskaan Farooq D/O Mohammad Farooq Wadoo*, presented WP (C) No. 1939/2024 (CM No. 5229/2024) titled *Muskaan Farooq Vs. UT of J&K and Others* before the Hon'ble High Court of Jammu Kashmir and Ladakh (at Srinagar) and averred and prayed inter-alia as under (*verbatim*):

".... i. That the petitioner being eligible applied to take part in the National Eligibility cum Entrance Test- NEET (UG)-2024. Her application was numbered as Application Number 2404105/8963; she was allotted Roll Number 2001400203 Category General. The petitioner was accordingly issued admit card according to which, she had to appear for examination on 05.05.2024 at Test Centre Government Co-Ed Sarvodaya Vidyalaya, Sector-4, Rohini, Delhi, near Lal Flat, New Delhi (110085)....

ii. That the petitioner fared well in the said examination and as per result of NEET (UG)-2024 score card (Re-Revised), the petitioner was able to score huge percentage of marks viz 692 out of 720 and accordingly scored NEET All India Rank 46332 and for All India Rank for counselling, the petitioner was assigned category rank 17496, as is evident from the date of declaration of result:26.07.2024;

" iii. That the schedule for counselling was prescribed by the competent authority for 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup> rounds of counselling. The first round of counselling for State counselling was scheduled from 21<sup>st</sup> august to 29<sup>th</sup> August 2024. The said schedule also contained the guidelines floated with regard to NEET-UG-2024 at All India Level Quota/Deemed/Central/State Quotas. The commencement of Academic Session for UG Courses was fixed 1<sup>st</sup> October 2024;

iv. That as per guidelines, the petitioner remained in touch with the website of counselling authorities from time to time, however, in the meanwhile she fell seriously ill and was advised rest from 7<sup>th</sup> to 18<sup>th</sup> August;

v. That the petitioner well before 21<sup>st</sup> August, 2024 i.e the date of 1<sup>st</sup> round counselling prescribed by the competent authority approached the respondent J&K BOPEE office for participating in the first round of counselling but she was told there the process has got already closed as per impugned notification in terms of which, as according to the respondent No. 3, she had to submit all the relevant documents i.e NEET score card, domicile certificate physically at BOPEE office Jammu/Srinagar up-to 11.08.2024 till 02.00 pm....

In the premises, it is humbly prayed that by issuance of appropriate Writ, Order or direction, including one in the nature of;

- (I) Certiorari the Hon'ble Court may kindly be pleased to quash the impugned Notification No. 68-BOPEE of 2024, dated 09.08.2024 forming Annexure (I) to the writ petition,
- (II) Mandamus, the Hon'ble Court may be pleased to command the respondents to;
  - (i) Adhere to the schedule containing the guidelines floated with regard to NEET-UG-2024 at All India Level/Deemed Central/State Quota (Annexure IV) to the writ petition prescribed by the competent authority viz Medical Commission of India – National Testing agency (Responded 4 & 5);
  - (ii) Allow the petitioner to participate in the counselling scheduled for NEET UG schedule 2024 for State Quota as has been prescribed by the Apex body after State counselling;
  - (iii) Consider the candidature of the petitioner as per her merit for undergoing MBBS course.
  - (iv) Further, the respondents be directed to consider the representation of the petitioner dated 21.08.2024 sympathetically. **and**

**Whereas**, the Hon'ble High Court has been pleased to dispose of the Writ petition at threshold in the following manner (*verbatim*):

- “...6. Under the circumstances, this petition is disposed of with a request to the respondents to consider one way or other the representation aforementioned filed by the petitioner within a period of 10 days from the date of this order.
7. In the event that any vacancy still exists, the candidature of the petitioner may be considered. The same may not be constituted as a direction to the BOPEE to consider in her favour even if she is ineligible.
8. Disposed of.; **and**

**Whereas**, in compliance of the above quoted orders of the Hon'ble High Court, the matter was analysed in light of the records, rules/guidelines governing the field; **and**

**Whereas**, from the records it is revealed that keeping in view, the schedule as fixed by the Medical Counseling Committee, Ministry of Health and



Family Welfare, it was notified by J&KBOPEE vide. Notification No. 068-BOPEE of 2024 dated 09.08.2024, that the candidates who have appeared in NEET, UT 2024 under All India Quota and whose Roll Numbers do not figure in Annexure A of the Notification but actually belong to UT of J&K/Ldakh and are willing to participate in the counselling for seats in the UT of J&K shall have to submit all the relevant documents i,e NEET Score Card, Domicile certificate physically at the BOPEE Office Jammu/Srinagar upto **11.08.2024; and**

**Whereas,** subsequently vide Notification No. 078-BOPEE of 2024, dated: 18.08.2024, it was published that the candidates belonging to the UT of J&K/Ladakh who have qualified the NEET-UG 2024 having scored the cut-off marks prescribed by the NTA and whose names figure in Annexure-A of the notification Noo.68 BOPEE, dated: 09.08.2024 and also the candidates whose names were not available in the said annexure but are domiciles of J&K/Ladakh and have submitted their documents in response to the aforementioned notification under reference forming Annexure –A to this notification are informed to register themselves and upload the documents like NEET UG score card, 10+2 Marks Card, Domicile certificate, Category Certificate etc. w.e.f **19.08.2024 to 23.08.2024; and**

**Whereas,** in the Notification dated: 18.08.2024, it was expressly stated that any candidate who falls within the qualifying merit but does not register himself/herself or does not upload the documents or the documents uploaded are deficient shall not be considered for allotment of any seat. And that since the admission in the Professional Colleges is time bound, the candidates shall not wait for last date of registration as it may be detrimental to the interests of the candidates; **and**

**Whereas,** from the records including the writ petition No. 1939/2024, it transpires that the petitioner was well aware of the contents of the Notification No(s).68,dated:09.08.2024, 78-BOPEE of 2024, dated: 18.08. 2024, and other Notifications published by the J&KBOPEE and yet she chose not to register

herself with the J&KBOPEE for consideration of her candidature and subsequent processing in relation to the Counselling process; **and**

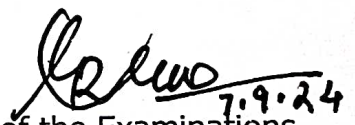
**Whereas,** J&KBOPEE, published all its Notifications related to the UG-NEET Counselling process in accordance with the schedule notified by the Medical Council Committee, Health and Family Welfare and also prioritizing the academic interests of the aspiring and eligible candidates; **and**

**Whereas,** the records reveal that the J&KBOPEE did not receive any representation from the petitioner *Muskaan Farooq D/O Mohammad Farooq Wadoo*, at any stage of the counselling process and it was only after the cut of date and closing of the link and after the initiation of choice filling process on 27.08.2024 that she filed afore titled WP(C) No. 1939/2024, before the Hon'ble High Court of J&K stating unfounded facts; **and**

**Whereas,** Provisional selection list for MBBS/BDS has already been notified vide Notification No. 93-BOPEE of 2024, dated: 03.09.2024; **and**

**Whereas,** a candidate who is not registered with J&KBOPEE for the purposes of UG-NEET counselling 2024, cannot be considered for selection at any stage/round of the counselling;

**Now,** therefore in view of the above, the claim of the petitioner having been considered in light of the records/rules/guidelines governing the field is found to be bereft of any merit and is hence rejected.

  
Controller of the Examinations  
J&K BOPEE

No. BOPEEE/EXAM/33/2024

Dated:07.09.2024

Copy to the:

1. Commissioner/Secretary to the Government, ARI & Trainings Department, J&K Civil Secretariat, Jammu/Srinagar for favour of information.
2. Secretary to Government, Health & Medical Education Department, J&K Civil Secretariat, Jammu/Srinagar for favour of Information.



3. Secretary, J&K BOPEE for Information.
4. Deputy Legal Remembrancer, J&KBOPEE for information.
5. Private Secretary to the Chairperson, J&KBOPEE for kind information of the Chairperson.
6. Muskaan Farooq D/O Mohammad Farooq Wadoo for information.
7. Records.