

ITEM NO.35

COURT NO.2

SECTION X

**S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S**

Writ Petition(s)(Civil) No(s).793/2022

VIBHUSHITA SHARMA

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(FOR ADMISSION and IA No.137930/2022-EX-PARTE AD-INTERIM RELIEF)

Date : 26-09-2022 This petition was called on for hearing today.

**CORAM : HON'BLE DR. JUSTICE D.Y. CHANDRACHUD
HON'BLE MS. JUSTICE HIMA KOHLI**

**For Petitioner(s) Mr. Gaurav Agrawal, Adv.
Mr. Avneesh Arputham, AOR
Mr. Ankit Sharma, Adv.**

For Respondent(s)

**UPON hearing the counsel the Court made the following
O R D E R**

- 1 Mr Gaurav Agrawal, counsel appearing on behalf of the petitioner, has drawn the attention of the Court to the order of the Punjab and Haryana High Court dated 27 July 2022 (Annexure P-23), by which a petition under Article 226 of the Constitution, which was instituted earlier, was permitted to be withdrawn.
- 2 Counsel submits that in that petition there was no challenge to the Medical Council of India Regulations on Graduate Medical Education 1997, as amended on 4 February 2019.
- 3 As a consequence of the Regulations, though the petitioner suffers from a benchmark disability within the meaning of the Rights of Persons with Disabilities Act 2016, she has been excluded from pursuing her medical education on the ground that her speech defect is in excess of 40%.

- 4 Issue notice.
- 5 Liberty to serve the Standing Counsel for the National Medical Commission dasti.
- 6 Counter affidavit shall be filed within a period of three weeks of the date of service.
- 7 List the petition on 31 October 2022.

**(SANJAY KUMAR-I)
DEPUTY REGISTRAR**

**(SAROJ KUMARI GAUR)
ASSISTANT REGISTRAR**