

Reserved on : 23.09.2026
Pronounced on : 24.09.2026

IN THE HIGH COURT OF KARNATAKA AT DHARWAD

DATED THIS THE 24TH DAY OF SEPTEMBER, 2026

PRESENT

THE HON'BLE MR. JUSTICE M.NAGAPRASANNA

AND

THE HON'BLE MRS JUSTICE HEMA KULKARNI

WRIT PETITION NO. 107263 OF 2026 (EDN-AD)

BETWEEN:

JAHNAVI
D/O ABHINANDAN HANJI
AGED ABOUT 18 YEARS,
OCC.:STUDENT,
R/O.:NO.135, MANGALWAR PETH,
BELAGAVI TALUK AND DISTRICT
BELAGAVI – 590 006.

...PETITIONER

(BY SMT. CHETANA S.BIRAJ, ADVOCATE)

AND:

1. UNION OF INDIA
REPRESENTED BY ITS SECRETARY,
DEPARTMENT OF HEALTH AND FAMILY WELFARE,
MINISTRY OF HEALTH AND FAMILY WELFARE,
201-D, NIRMAL BHAVAN, CENTRAL SECRETARIAT,
NEW DELHI.

Digitally signed
by CHETAN B C
Location: High
Court of
Karnataka

2. DIRECTOR GENERAL
DIRECTORATE GENERAL OF HEALTH SERVICES,
MEDICAL COUNSELLING COMMITTEE,
NIRMAN BHAVAN, RAJAPATH AREA,
CENTRAL SECRETARIAT,
NEW DELHI – 110 011.
3. THE NATIONAL MEDICAL COMMISSION
REPRESENTED BY ITS SECRETARY,
POCKET-14, SECTOR-8, DWARKA PHASE-1,
NEW DELHI – 110 077.

...RESPONDENTS

(BY SRI MRUTYUNJAY S.HALLIKERI, ADVOCATE FOR R-1 AND R-2;
SRI ANOOP G.DESHPANDE, ADVOCATE FOR R-3)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO 1. ISSUE WRIT OF CERTIORARI QUASHING THE IMPUGNED NOTICE DATED 27/05/2026 BEARING REF.U-11011/07/2025-MEC PASSED BY RESPONDENT NO.2 AT ANNEXURE-E; 2. ISSUE WRIT OF CERTIORARI QUASHING THE IMPUGNED COMMUNICATION / PROVISIONAL NRI DOCUMENT VERIFICATION CERTIFICATE AT ANNEXURE-D DATED 17/08/2026 PASSED BY RESPONDENT NO.2; 3. ISSUE WRIT OF MANDAMUS DIRECTING THE RESPONDENT NO.3 TO CONSIDER THE DOCUMENT ALREADY FURNISHED AND ALLOW THE PETITIONERS' CLAIM FOR SEAT ALLOTMENT UNDER THE NRI QUOTA IN THE UPCOMING COUNSELLING.

THIS WRIT PETITION HAVING BEEN HEARD AND RESERVED FOR ORDERS ON 23.09.2026, COMING ON FOR PRONOUNCEMENT THIS DAY **M.NAGAPRASANNA J.**, MADE THE FOLLOWING:-

CORAM: HON'BLE MR. JUSTICE M.NAGAPRASANNA
and
HON'BLE MRS JUSTICE HEMA KULKARNI

CAV ORDER

(PER: HON'BLE MR. JUSTICE M.NAGAPRASANNA)

The petitioner is before the Court seeking the following prayer:

1. Issue writ of certiorari quashing the impugned notice dated:27/05/2026 bearing Ref.U-11011/07/2025-MEC passed by respondent no.2 at Annexure-E.
2. Issue writ of certiorari quashing the impugned communication/provisional NRI document verification certificate at Annexure-D dated: 17/08/2026 passed by respondent No.2.
3. Issue writ of mandamus directing the respondent no.3 to consider the document already furnished and allow the petitioners' claim for seat allotment under the NRI quota in the upcoming counselling.
4. Issue such other writ or order or direction as deemed fit in the interest of justice and equity.

2. Facts in brief, germane, are as follows:

2.1. The petitioner claiming to be eligible for selection to undergraduate courses appears in the National Eligibility cum Entrance Test - Undergraduate, 2026 ('NEET UG' for short). The

petitioner claims to have secured 64.45% and seeks admission into medical course under the 15% Non-Resident Indian ('NRI') quota, on her claim of being sponsored by her paternal uncle, one Sri Amol, S/o Anil Chaugule being her nearest relative and an Overseas Citizen of India ('OCI'), an NRI settled in the United States of America. The petitioner claims to have furnished all necessary documents mandated by the 3rd respondent with regard to sponsorship by the said paternal uncle Amol and that he is ready and willing to sponsor for the education of the petitioner.

2.2. The necessary documents were all uploaded by the petitioner along with a self-declaration affidavit and the bank details for the purpose of securing a seat under the NRI quota. The 3rd respondent issues a provisional NRI document verification certificate, on verification of the documents on 17-08-2026, rejecting the claim of the petitioner for allotment of a seat under the NRI quota. The rejection of the claim is what has driven the petitioner to this Court in the subject petition.

3. Heard Smt Chetana S Biraj, learned counsel appearing for petitioner, Sri Mrutyunjay S Hallikeri, learned counsel appearing for respondent Nos.1 and 2 and Sri Anoop G Deshpande, learned counsel appearing for respondent No.3.

4. The learned counsel, Smt Chetana Biraj, appearing for the petitioner, taking this Court through the geneological tree would vehemently contend that the sponsoror from the United States of America fits into the criteria necessary for the purpose of sponsorship under the NRI quota. The rejection, according to the learned counsel appearing for the petitioner, is completely contrary to the guidelines notified for allotment of seats under the NRI quota. According to her, what is necessary is, a sponsoror must be a family member and must be capable of taking care of the education of the person whom they would sponsor. She would seek quashment of the document verification certificate *inter alia* rejecting the claim of the petitioner and direct allotment of a seat to the petitioner under NRI quota.

5. *Per contra*, the learned counsel Sri Mrutyunjay S Hallikeri appearing for the respondent Nos.1 and 2 would vehemently refute

the submission contending that it is not only a family member who is necessary to be the sponsoror, but he must also have shown interest in sponsoring the education of a candidate who claims a seat under the NRI quota. Since the candidate has not demonstrated that in the past there has been sponsorship by the said person, all of a sudden the sponsorship cannot spring, as the NRI quota is one among the widely misused quota, where family members spring from nowhere to sponsor the candidates for the purpose of allotment of the quota.

6. We have given our anxious consideration to the submissions made by the learned counsel for the respective parties and have perused the material on record.

7. The afore-narrated facts are all a matter of record and it would not require any iteration. The 3rd respondent has issued notice for the applicants claiming seats under NRI quota. The notice reads as follows:

"

NOTICE

Kind Attention: Candidates who claim to be NRI/ OCI or want to get their nationality converted from Indian to NRI.

It is for the information to candidates who want to apply for NRI quota in upcoming UG/PG counselling for the academic year 2026-2027, that the Hon'ble Supreme Court of India in **W.P No. 13393 of 2007 and others (2008) (Anshul Tomar vs. State of M.P)** has set forth eligibility criteria for seats reserved under NRI quota.

The relevant excerpt from the order passed by the Hon'ble Court in W.P No. 13393 of 2007 is as under:

"1) If the mother or father of student is NRI and residing abroad ordinarily, then, either of the situations so held will be considered to be proper.

2) If the first-degree relation of the student is NRI and residing abroad ordinarily, then in such circumstances also, qua this year, should be considered eligible. It is natural that such definition would include the real brother and sister over and above the mother-father of the first-degree relation.

3) As per the definition revised by the Hon'ble Apex Court, interpretation of clause 3 thereof as not made limited but if made in a broad perspective, then, it is clear that the person who wanted to consider such student as ward (Palya), then, he be considered to be proper subject to compliance of the following conditions:

a) He should be the nearest relation.

b) In the definition of the nearest relation, committee has considered following relative having blood relations.

i) Real brother and sister of father i.e. real uncle and real aunt.

ii) Real brother and sister of mother i.e. real maternal uncle and maternal aunt.

iii) Father and mother of father i.e. grandfather and grandmother.

iv) Father and mother of mother i.e. maternal grandfather and maternal grandmother.

v) First degree-paternal and maternal cousins

vi) Such person should be NRI.

c) Such persons should ordinarily be residing abroad.

d) Such person should have looked after such student as the guardian of the student and evidence to that effect must have been produced before the committee by such person.

e) There should be affidavit with aforesaid fact."

Hence, the candidates applying for NRI Quota seats will have to abide/adhere with the abovementioned eligibility criteria for participation in counselling as NRI candidate/candidature.

It is further informed to NEET aspirants for the academic year 2026 that MCC/competent authority will seek evidential proof/legal document from the candidates as in point 3 (d) & (e) of the order, during counselling, demonstrating that the sponsor is actually Bonafide legal guardian of the candidate as per Guardians and Wards Act, 1890."

The petitioner partakes in the NEET UG Examination 2026 and secures 64.45% and then stakes a claim that there is a sponsor by name Amol Chaugule who is an OCI and files a self-declaration affidavit to sponsor the petitioner's under-graduate education and also provides bank statements to establish financial capacity. The self declaration of the said NRI is as follows:

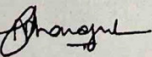
SELF DECLARATION AFFIDAVIT

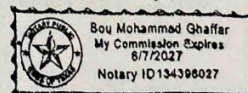
I, Amol Chaugule, son of Anil Chaugule aged 74 (07-08-1952) am an Overseas Citizen of India (OCI) holder of IRELAND Passport No PU9265551 issued on 29-03-2017 and expires on 28-03-2027, and/or holder of OCI Card No 227047, issued on 12-03-2008 issued at DUBLIN, IRELAND. I am residing at 4518 SHADED ARBOR WAY, SUGAR LAND, TEXAS 77479, USA.

I am an Overseas Citizen of India, and I am willing to sponsor my niece Miss. Jahnvi Hanji D/o Abhinandan Hanji residing at 135, Mangalwar peth, Tilakwadi, Belgaum, Karnataka, India, who is seeking admission in Undergraduate medicine courses for the year 2026-27. I have ample financial resources to provide the necessary funds for her entire education in Undergraduate Medical Courses until her studies are completed. I certify and guarantee that the information provided on this page are accurate, complete, and true.

I understand I am liable to be prosecuted if this affidavit or any part of it is anyway found to be incorrect or false. I further affirm that this affidavit is true, that it conceals nothing and no part of it is false.

ATTESTED APPLICANTS
SIGNATURE

Signature: 
Name: Amol Chaugule
Place: Houston, TX

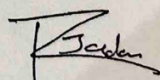


Fort Bend County Texas USA
8-14-2026

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(Rutvik Kalubhai Jadav)
Assistant Consular Officer
Consulate General of India
Houston

SELF DECLARATION AFFIDAVIT

I Amol Chaugule, son of Anil Chaugule aged 74 (07-08-1952), am an Overseas Citizen of India (OCI) holder of IRELAND Passport No PU9265551 issued on 29-03-2017 and expires on 28-03-2027, and/or holder of OCI Card No 227047, issued on 12-03-2008 issued at DUBLIN, IRELAND. I am residing at 4518 SHADED ARBOR WAY, SUGAR LAND, TEXAS 77479, USA.

I do hereby Solemnly affirm and state that Ms Jahnvi Hanji D/o Abhinandan Hanji, who is seeking admission to an Undergraduate medicine course is my Niece.

I understand that I am liable to be prosecuted if this affidavit or any part of it is anyway found to be incorrect or false. I further affirm that this affidavit is true, that it conceals nothing and no part of it is false.

I, Amol A. Chaugule, being duly sworn, hereby declare that Jahnvi A. Hanji is my Niece. My Grandfather is Shripal Chaugule, whose children are Anil S. Chaugule, my Father, and Sharayu M. Hanji, my Father's Sister. Sharayu M. Hanji is the mother of Abhinandan M. Hanji, who is the Father of Jahnvi A. Hanji. Therefore, Jahnvi A. Hanji is my Niece through my paternal family. I make this affidavit to certify our family relationship for official purposes, and I declare under penalty of perjury that the foregoing statement is true and correct to the best of my knowledge and belief.

ATTESTED APPLICANT'S
SIGNATURE

Signature: *Amol Chaugule*
Name: Amol Chaugule
Place: August 7th, 2026



Rutvik Kalubhai Jadav

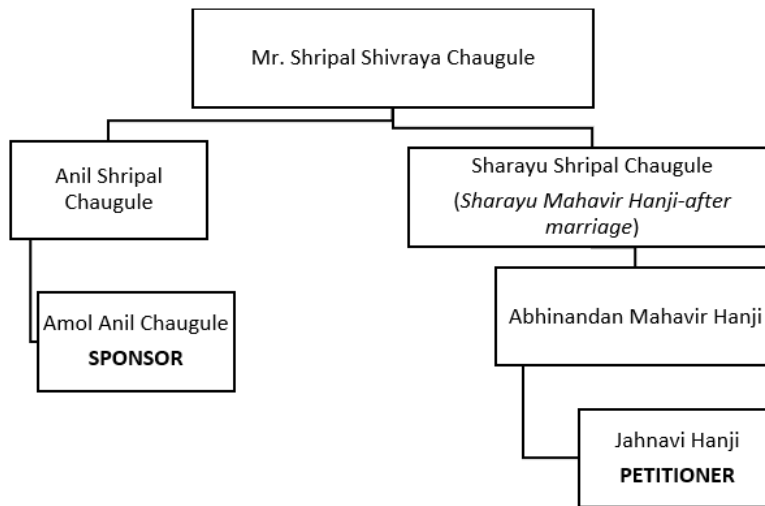
(Rutvik Kalubhai Jadav)
Assistant Consular Officer
Consulate General of India
Houston

CONSULATE GENERAL OF INDIA
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The petitioner has placed, as a document appended to the petition, a genealogical tree which depicts that the sponsor is the petitioner's father's first cousin, as the petitioner's great grandfather is the sponsor's grandfather. The genealogical tree is as follows:



The 3rd respondent then issues a provisional NRI document verification certificate, in which the candidature of the petitioner comes to be rejected for allotment of a seat in the NRI quota.

8. This Court, owing to the matter requiring consideration and the impending urgency, passes the following order on 08-09-2026. It reads as follows:

"The petitioner is before the Court calling in question a notice dated 27.05.2026 and has sought other incidental relief. The petitioner claims to be entitled for claiming a seat for a medical course under the NRI quota which is at 15%. The dispute lies in, who is the sponsor of the petitioner to claim the said quota. The candidature is now rejected on the score that the Medical Counselling Committee Guidelines do not permit the nature of sponsorship that is projected by the petitioner to become eligible for the medical seat under the NRI quota.

The learned counsel for the petitioner has projected a Genealogical Tree to demonstrate that the sponsor is a blood relative of the petitioner, which is seriously disputed by the respondents on the score that a distant relative cannot become a sponsor and that the said sponsor must have sponsored fees or otherwise in the past and cannot at the first instance become a sponsor to the NRI quota. He would submit that to curb such misuse the guidelines are laid, the issue requires consideration. The impending urgency is the counseling that is going to end tomorrow.

In that light we deem it appropriate to permit the petitioner to participate in the counselling that is to end tomorrow at 10.00 a.m. All the necessary nuances for permitting the petitioner to participate in the second round of counseling now going on shall be undertaken by the respondents without broking any delay.

The learned counsel for the respondents submits that in the event the second round would not come about, third round of counselling commences from 21.09.2026. The petitioner can be permitted to participate in that way.

Be that as it may. In the light of the subsisting counselling, the petitioner shall be permitted to participate in the counselling. However, we make it clear that the petitioner would not claim any equities in future in the event the petition would run against the petitioner.

List on 17.09.2026 in the fresh matters list."

The issue now would be, whether the petitioner would be entitled for the said allotment under the NRI quota.

9. Jurisprudence is replete with the judgments of the Apex Court and that of different High Courts, interpreting what would be the criteria for the purpose of allotment of seats under the NRI quota. I deem it appropriate notice to all of them.

9.1. The Apex Court in the case of **P.A. INAMDAR v. STATE OF MAHARASHTRA**¹, holds as follows:

"....

NRI seats

131 ***.** Here itself we are inclined to deal with the question as to seats allocated for Non-Resident Indians ("NRI" for short) or NRI seats. It is common knowledge that some of the institutions grant admissions to a certain number of students under such quota by charging a higher amount of fee. In fact, the term "NRI" in relation to admissions is a misnomer. By and large, we have noticed in cases after cases coming to this Court, neither the students who get admissions under this category nor their parents are NRIs. In effect and reality, under this category, less meritorious students, but who can afford to bring more money, get admission. During the course of hearing, it was pointed out that a limited number of such seats should be made available as the money brought by such students admitted against NRI quota enables the educational institutions to strengthen their level of education and also to enlarge their educational activities. It was also

¹ (2005) 6 SCC 537

pointed out that people of Indian origin, who have migrated to other countries, have a desire to bring back their children to their own country as they not only get education but also get reunited with the Indian cultural ethos by virtue of being here. They also wish the money which they would be spending elsewhere on education of their children should rather reach their own motherland. A limited reservation of such seats, not exceeding 15%, in our opinion, may be made available to NRIs depending on the discretion of the management subject to two conditions. **First, such seats should be utilised bona fide by NRIs only and for their children or wards. Secondly, within this quota, merit should not be given a complete go-by.** The amount of money, in whatever form collected from such NRIs, should be utilised for benefiting students such as from economically weaker sections of the society, whom, on well-defined criteria, the educational institution may admit on subsidised payment of their fee. To prevent misutilisation of such quota or any malpractice referable to NRI quota seats, suitable legislation or regulation needs to be framed. So long as the State does not do it, it will be for the Committees constituted pursuant to the direction in *Islamic Academy* [(2003) 6 SCC 697] to regulate.”

9.2. In **CONSORTIUM OF DEEMED UNIVERSITIES IN KARNATAKA v. UNION OF INDIA**², the Apex Court holds as follows:

“....

4. In this regard our attention has been invited to a Division Bench decision of the High Court of Madhya Pradesh rendered in *Anshul Tomar v. State of M.P.* [Anshul Tomar v. State of M.P., 2008 SCC OnLine MP 139 : (2008) 2 MP LJ 450] , wherein the High Court after referring to the authority in *Ruchin Bharat Patel* [Ruchin Bharat Patel v. Parents' Assn. for M/D Students, (2022)

² (2021) 14 SCC 644

18 SCC 78] has referred to a set of guidelines drafted by Pravesh Niyantran Samiti (Medical Education), Mumbai. The said guidelines read as follows : (*Anshul Tomar* case [Anshul Tomar v. State of M.P., 2008 SCC OnLine MP 139: (2008) 2 MP LJ 450] , SCC OnLine MP para 10)

"10. ... 'Based upon the decision of Hon'ble Supreme Court referred hereinabove dated 13-11-2006 [Ruchin Bharat Patel v. Parents' Assn. for M/D Students, (2022) 18 SCC 78] has laid down a criteria for admission in NRI quota, the Samiti decides and resolves the criteria for granting the admissions in NRI quota, as under:

(1) If the mother or father of student is NRI and residing abroad ordinarily, then, either of the situations so held will be considered to be proper.

(2) If the first degree relation of the student is NRI and residing abroad ordinarily, then in such circumstances also, qua this year, should be considered eligible. It is natural that such definition would include the real brother and sister over and above the mother-father of the first degree relation.

(3) As per the definition revised by the Hon'ble Apex Court, interpretation of Clause 3 thereof as not made limited but if made in a broad perspective, then, it is clear that the person who wanted to consider such student as ward (Palya), then, he be considered to be proper subject to compliance of the following conditions:

(a) He should be the nearest relation.

(b) In the definition of the nearest relation, committee has considered following relative having blood relations:

**(i) Real brother and sister of father
i.e. real uncle and real aunt.**

**(ii) Real brother and sister of mother
i.e. real maternal uncle and maternal aunt.**

(iii) Father and mother of father i.e. grandfather and grandmother.

(iv) Father and mother of mother i.e. maternal grandfather and maternal grandmother.

(v) First degree paternal and maternal cousins.

(vi) Such person should be NRI.

(c) Such persons should ordinarily be residing abroad.

(d) Such person should have looked after such student as the guardian of the student and evidence to that effect must have been produced before the committee by such person.

(e) There should be affidavit with aforesaid fact.

The Samiti directs the AMUPMDC and the institutes/colleges to follow the above guidelines strictly while granting the admissions in NRI quota in respect of the First Year Health Science course for the academic year 2007-2008 and onwards.' "

5. After reproducing the said guidelines, the Division Bench of the High Court of Madhya Pradesh has held as under : (*Anshul Tomar case* [Anshul Tomar v. State of M.P., 2008 SCC OnLine MP 139 : (2008) 2 MP LJ 450] , SCC OnLine MP paras 11-12)

"11. In view of the aforesaid, we are inclined to think that the term "ward" has been given a broader meaning in *Ruchin Bharat Patel* [Ruchin Bharat Patel v. Parents' Assn. for M/D Students, (2022) 18 SCC 78] . We have reproduced the guidelines of Mumbai Committee to show that they are in consonance with the guidelines set forth by *Ruchin Bharat Patel* [Ruchin Bharat Patel v. Parents' Assn. for M/D Students, (2022) 18 SCC 78] . Nothing has been placed on record to show that NRIs have acted in a mala fide manner.

12. Regard being had to the amplified meaning of the term "ward" and in the absence of any mala fides

and further on the foundation that the merit has not been completely given a go-by, we are inclined to quash the decision of the Committee and hold that the admission of the petitioners under the NRI quota is valid and the petitioners are entitled to prosecute their studies under the said College.”

6. On being asked, Mr P.S. Narasimha, learned Additional Solicitor General has submitted that this Court may think of making any kind of interim arrangement subject to final adjudication of the controversy so that the same does not arise in future.

7. As presently advised, the principles set out in *Anshul Tomar* [*Anshul Tomar v. State of M.P.*, 2008 SCC OnLine MP 139 : (2008) 2 MP LJ 450] , shall be followed this year for the purpose of filling up of 15% NRI quota. Be it clarified, the NRI quota shall include Overseas Citizens of India (OCI) and Persons of Indian Origin (PIO). The counselling shall be held and finalised by 31-8-2017, in respect of this quota and, if for some reason or other, the counselling is not concluded by that date, the same shall be completed by 4-9-2017. It needs no special emphasis to state that the present order is only applicable to the deemed universities and no other category of institution.”

9.3. The Apex Court in the case of **NILAY GUPTA v. NEET PG MEDICAL & DENTAL ADMISSION/COUNSELLING BOARD**³, observes as follows:

“....

27. Clearly, this Court had the benefit of past experience with the concept of NRI quota : witness its scepticism about filling of such seats (in the past) by undeserving and unmerited candidates, to the detriment of more meritorious students. **Therefore, the Court indicated a limited quota with some**

³ (2021) 14 SCC 644

essential controls in the manner of filling up of such NRI quota seats. These were:

27.1. The NRIs, who wish to bring their children to this country not only for their education but also to get them reunited with the Indian cultural ethos by virtue of being here and to enable the NRIs to expend money (which they would be spending elsewhere on education of their children) to reach their mother land.

27.2. Having pointed out the reality behind the incorrect or “misnamed” NRI quota and found substance in the purpose behind allowing such quota, **this Court favoured a limited reservation, not exceeding 15% of sanctioned seats, to be made available for the NRIs, however, depending on the discretion of the management.**

27.3. This Court, however, imposed two conditions for admission under the NRI quota, **firstly, that such seats should be utilised bona fide by NRIs only and for their children or wards and secondly, that within this quota, merit should not be given a complete go by.”**

9.4. Prior to the judgment of the Apex Court in the cases of **CONSORTIUM OF DEEMED UNIVERSITIES IN KARNATAKA** *supra* and **NILAY GUPTA** *supra*, a Division Bench of the High Court of Madhya Pradesh in its judgment in the case of **ANSHUL TOMAR v. STATE OF MADHYA PRADESH**⁴, holds as follows:

“ ”

10. At this juncture, it is worth noting that Pravesh Niyantran Samiti (Medical Education). Mumbai while dealing with the issue relating to admissions to be granted admissions in NRI seats. dealt with the eligibility facets. After reproducing

⁴ 2008 SCC OnLine MP 139

the paragraph from Ruchin Bharat Patel (supra) the Committee opined thus:—

"Based upon the decision of Hon'ble- Supreme Court referred herein above dated 13th November 2006 has laid down a criteria for admission in NRI quota, the Samiti decides and resolves the criteria for granting the admissions in NRI quota, as under:

1) If the mother or father of student is NRI and residing abroad ordinarily, then, either of the situations so held will be considered to be proper

2) If the first degree relation of the student is NRI and residing abroad ordinarily, then in such circumstances also. qua this year, should be considered eligible. It is natural that such definition would include the real brother and sister over and above the mother-father of the first degree relation.

3) As per the definition revised by the Hon'ble Apex Court, interpretation of clause 3 thereof as not made limited but if made in a broad prespective, then, it is clear that the person who wanted to consider such student as ward (palya), then, he be considered to be proper subject to compliance of the following conditions:

a) He should be the nearest relation.

b) In the definition of the nearest relation, committee has considered following relative having blood relations.

i) Real brother and sister of father i.e. real uncle and real aunt.

ii) Real brother and sister of mother i.e. real maternal uncle and maternal aunt.

iii) Father and mother of, father i.e. grand father and grand mother.

iv) Father and mother of mother i.e. maternal grandfather and maternal grand mother.

v) First degree paternal and maternal cousins.

vi) Such person should be NRI.

c) Such person should ordinarily be residing abroad.

d) Such person should have looked after such student as the guardian of the student and evidence to that effect must have been produced before the committee by such person.

e) There should be affidavit with aforesaid, fact. The Samiti directs the AMUPMDC and the Institutes/Colleges to follow the above guidelines strictly while granting the admissions in NRI quota in respect of the First Year Health Science course for the academic year 2007-08 and onwards."

11. In view of the aforesaid, we are inclined to think that the term 'ward' has been given a broader meaning in Ruchin Bharat Patel (supra). **We have reproduced the guidelines of Mumbai Committee to show that they are in consonance with the guidelines set forth by Ruchin Bharat Patel (supra).** Nothing has been placed on record to show that NRIs have acted in a malafide manner."

9.5. Another Division Bench of the High Court of Madhya Pradesh, in its judgment in the case of **SHIVANI SINGH v. STATE OF MADHYA PRADESH**⁵ holds as follows:

"

43. For proper adjudication of the issues raised by the petitioners and appreciating the object and purpose of creating a quota for NRI candidates, the background of the same is restated at the cost of repetition. The Supreme Court in the case of P.A Inamdar v. State of Maharashtra, 2005 MPLJ Online (S.C.) 24 : (2005) 6 SCC 537, explaining the decision in the case of T.M.A Pai Foundation v. State of Karnataka, 2002 MPLJ Online

⁵ 2018 SCC OnLine MP 1501

(S.C.) 13 : (2002) 8 SCC 481, has held as under in paragraph 131:—

"131. Here itself we are inclined to deal with the question as to seats allocated for Non-Resident Indians ("NRI" for short) or NRI seats. It is common knowledge that some of the institutions grant admissions to a certain number of students under such quota by charging a higher amount of fee. In fact, the term "NRI" in relation to admissions is a misnomer. By and large, we have noticed in cases after cases coming to this Court, neither the students who get admissions under this category nor their parents are NRIs. In effect and reality, under this category, less meritorious students, but who can afford to bring more money, get admission. During the course of hearing, it was pointed out that a limited number of such seats should be made available as the money brought by such students admitted against NRI quota enables the educational institutions to strengthen their level of education and also to enlarge their educational activities. It was also pointed out that people of Indian origin, who have migrated to other countries, have a desire to bring back their children to their own country as they not only get education but also get reunited with the Indian cultural ethos by virtue of being here. They also wish the money which they would be spending elsewhere on education of their children should rather reach their own motherland. A limited reservation of such seats, not exceeding 15%. in our opinion, may be made available to NRIs depending on the discretion of the management subject to two conditions. First, such seats should be utilised bona fide by NRIs only and for their children or wards. Secondly, within this quota, merit should not be given a complete go-by. The amount of money, in whatever form collected from such NRIs. should be utilised for benefiting students such as from economically weaker sections of the society, whom, on well-defined criteria, the educational institution may admit on subsidized payment of their fee. To prevent misutilisation of such quota or any malpractice referable to NRI quota seats, suitable legislation or regulation needs to be framed. So long as the State does not do it. it will be for the Committees constituted pursuant to the direction in Islamic Academy [(2003) 6 SCC 697] to regulate."

(underlined by us)

44. A perusal of the aforesaid decision of the Supreme Court makes it clear that while freedom was granted to the colleges to give admissions to NRIs by charging higher fees, **the Supreme Court had imposed riders to the effect that the NRI quota should not be misused and that the admissions in the said quota should be granted either to the genuine NRIs or their children and wards.** A perusal of para 131 in the case of P.A. Inamdar (supra) further indicates that the State was directed to make suitable regulation to prevent misutilization of the NRI quota and any malpractice referable to NRI quota seats.

45. Subsequent to the aforesaid decision of the Supreme Court, the State of M.P. enacted the Act of 2007 and framed the Rules of 2008 thereunder. The definition of NRI incorporated in section 3(j) of the Act of 2007, states that the meaning of NRI would be the same as given under section 115(c) of the Income Tax Act. This definition has been reiterated by the State in the Rules of 2008 and the Regulations of 2017.

46. The Act of 2007 of the State of M.P. and the Rules framed thereunder were challenged by the private medical colleges as being ultravires the legislative competence of the State as well as being contrary to the directions and orders issued by the Supreme Court in the case of T.M.A Pai (supra) and P.A. Inamdar (supra). This High Court upheld the validity of the Act and the Rules being aggrieved by which the private colleges filed petitions before the Supreme Court which have also been dismissed by the Supreme Court in the case of Modern Dental College (supra).

47. During the pendency of the petition before the Supreme Court, the private medical colleges filed interim applications before the Supreme Court for the purposes of giving them freedom to make admissions in the NRI quota whereupon the Supreme Court by an interim order passed in Civil Appeal No. 4060/2009 Modern Dental College (supra) reported in Modern Dental College and Research Centre v. State of M. P., (2009) 7 SCC 751, permitted the private colleges to make admissions in the NRI quota in terms of paragraph 131 in the case of P.A.

Inamdar (supra). Though, initially this order and liberty granted to the private colleges was only for the year 2009-2010, the Supreme Court subsequently continued the interim arrangement and thereafter by order dated 3-4-2012 reported in *Modem Dental College and Research Centre v. State of M.P.*, (2012) 4 SCC 707, the interim arrangement made by the Supreme Court for granting admissions to NRI quota was directed to be continued till the disposal of the appeal by the Constitutional Bench which ultimately upheld the validity of the provisions by the judgment reported in *Modem Dental College (supra)* in May, 2016.

48. From the aforesaid orders of the Supreme Court it is apparent that till decision in the case of Modem Dental College (supra) by the Constitutional Bench in May, 2016, the interim arrangement made by the Supreme Court granting liberty to the Private Colleges to make admissions in the NRI quota in accordance with para 131 in the case of P.A. Inamdar (supra) continued to remain in operation.

49. In the meanwhile, one Anshul Tomar, who had been granted admission in the NRI quota on the ground that he fulfilled the criteria of being a ward of a NRI, approached this Court by filing a petition against the order passed by the Admission and Fee Regulatory Committee objecting to his admission which was ultimately allowed by this Court by order dated 8-4-2008 *Anshul Tomar v. State of M. P.*, 2008 (2) M.P.L.J. 450. This Court in the aforesaid case took into consideration para 131 of the judgment in the case of P.A. Inamdar (supra) and the order passed by the Supreme Court in the case of *Ruchin Bharat v. Parents' Association for the M/D Students*, in Civil Appeal No. 4480/2006 decided on 13-11-2006 wherein certain directions were issued regarding grant of admission to students under the NRI quota. In the case of *Anshul Tomar (supra)*, this Court followed the criteria and guidelines laid down by the Supreme Court in the case of *Ruchin Bharat (supra)* and also the criteria laid down by the *Pravesh Niyanttran Samiti*, Medical Education, Mumbai pursuant to the directions issued in the case of *Ruchin Bharat (supra)*. This Court approved and applied the broader meaning

given to a ward by the Supreme Court in the case of Ruchin Bharat (supra) as well as Mumbai Committee and quashed the order passed by the Admission and Fee Regulatory Committee objecting to the admission granted to Anshul Tomar (supra) and allowed the petition filed by him. The order passed by this Court in the case of Anshul Tomar (supra) has been cited with approval and directed to be followed by the Supreme Court in the case of Consortium of deemed Universities in Karnataka (CODEUNIK) v. Union of India, W.P. Civil No. 689/2017, by an interim order passed on 22-8-2017 which has however been confined to deemed Universities.”

9.6. A Division Bench of the High Court of Punjab and Haryana in the case of **DEVBIR SINGH v. STATE OF PUNJAB**⁶, holds as follows:

“

V. TERM ‘WARD’ EXPOUNDED

3.7 The Gujarat High Court while **examining the scope of the word ‘ward’** in Chandibhamar Abhey Sanjaykumar v. State of Gujarat, (2024) 1 GLR 447 has observed in the following manner:—

14. As noticed hereinabove, it would appear that while carving out reservation to the extent of 15% for admission to medical colleges in favour of the NRIs, the Hon'ble Apex Court was concerned with a situation where under the guise of admission to NRI seats, admission was granted to students who were neither NRIs nor their parents were NRIs. It is in context of such a concerned that the Hon'ble Apex Court had observed that the seats in the State quota should be given only to bona fide NRIs or their children or wards. **In the humble opinion of this Court, seeking to widen the scope of the term ‘ward’ beyond the term, would**

⁶ 2024 SCC OnLine P&H 12023

be doing violence to the spirit of the observations of the Hon'ble Apex Court while carving out reservation for NRIs.

15. The term 'ward' in its most elementary meaning as per the Oxford Dictionary would mean 'a child who is under the protection of a court of law, a child whose parents are dead and who is cared for by another adult (guardian)'. The Blacks Law Dictionary defines the word 'ward', as 'a person, usually minor, who is under a guardian's charge or protection'. In the considered opinion of this Court, the word 'ward' used by the Hon'ble Apex Court, has to be appreciated in the context of the normal-elementary meaning of the term 'ward' read with the spirit of the observations as referred to hereinabove. The Hon'ble Apex Court inter alia observed and has used the word 'ward' in the first condition whereby the Hon'ble Apex Court inter alia lays down that the seats should be utilized by genuine NRIs only for their children or wards. Thus, the idea was to ensure that in addition to the children of NRIs, if a child is a ward of a bona fide NRI, he should also be entitled to get the benefit of admission in NRI seats. Thus, in the considered opinion of this Court, the word 'ward' appearing in the decision of the Hon'ble Apex Court in case of P.A. Inamdar (supra), has to be viewed as describing a minor who is in the guardianship of a NRI. Furthermore, it would be relevant to observe that while the said decision itself envisages legislation to be framed, more particularly 'to prevent misutilization or malpractice referable to NRI Quota Seats' and therefore in the considered opinion of this Court, the word 'ward' used in the context of the legislation could also not extend beyond the plain meaning ascribed to the term. Again, in context of legislation, more particularly since the word 'ward' envisages a minor who is under the protection of an adult, the law which regulates such guardianship in the country being the Guardians and Wards Act, therefore the definition of the term 'ward' has rightly been attributed the same definition as found in the legislation governing such a relationship."

.... ..

VII. CHANGE IN THE CRITERION OF SEAT ALLOCATION (IN NRI QUOTA) :-

3.10 Similarly, Mr. Patwalia's argument that there is no change in the criterion is against the record. It is evident from comparative/side by side reading of clause 17 of the original prospectus and corrigendum dated 20.08.2024, **that the category of NRIs/their children has been expanded by substitution; in order to accommodate candidates, who are either the wards or the nearest relation of NRIs including the real brother or sister of father, real brother or sister of mother, father and mother of father, father and mother of mother, first degree paternal/maternal cousins.** They are sought to be included in the category of NRIs only because one of their relative is settled out of India who is prepared to lend his name though the student or his parents are not NRIs. **Moreover, Clause (IV) is vague and amenable to misuse. No elaborate and clear criteria has been laid down to evaluate the guardianship of the NRI. As per the corrigendum, the evaluation of guardianship is so vague that it is apparent that the process is not wholly transparent. It has been based upon the subjective satisfaction of the committee on the basis of affidavit submitted by the NRI. The experience shows that such vague stipulation leads to arbitrary use and it encourages corruption.**

....

XI. EXPANSION OF TERM 'NRI'

....

3.23 Moreover, new clause (iv) of the modified provision, which permits relatives to qualify as guardians, simply by showing that he has looked after such student, is vague and lacks clear criteria. It creates room for manipulation, where guardianship might be claimed merely for the sake of securing admission under this category. This significantly dilutes the merit based admission process and unfairly disadvantages students who may be more academically qualified but lack the financial resources to compete with those availing the 'NRI Quota' under these expanded terms."

9.7. Another Division Bench of the High Court of Punjab and Haryana in the case of **RUSHALI SINGHAL v. STATE OF HARYANA**⁷ observes as follows:

"....

14. Between the first candidate and second candidate, merit of the first candidate is higher. **Though we are doubtful of her claim to be included in the definition of NRI clause in terms of notification dated 10-11-2025, as the relationship of the sponsor and the first candidate, cannot be said to be of first-degree paternal cousin as it is the first cousin of the father of the first candidate whose husband is the sponsor. However, that in itself would not be conclusive in the peculiar facts of the case for the reasons enumerated herein above.** Apart from the fact that first candidate is higher in merit, she was also declared to be an NRI candidate in the notice issued by the Directorate General, Health Services, Government of India, on 27-1-2026. The first candidate was also offered admission in Rajasthan, which she overlooked only because of the provisional admission offered in the State of Haryana. **She has already deposited her fee from an NRI account. In such circumstances, we are of the view that in the peculiar facts of the case, the claim of the first candidate is entitled to be given preference over that of the second candidate.** The respondent-University is, accordingly, directed to grant admission to the First Candidate forthwith, subject to fulfilment of all other formalities. **We clarify that it shall not be treated as any precedent for subsequent years, when question of eligibility of a candidate arise for being included in the NRI category.** Accordingly, the writ petition filed by first candidate i.e. CWP-8173-2026 is allowed while writ petition filed by the second candidate i.e. CWP-5859-2026, is dismissed."

⁷ 2026 SCC OnLine P&H 7558

9.8. Long before the afore-quoted judgments of the Apex Court in the cases of **CONSORTIUM OF DEEMED UNIVERSITIES** and **NILAY GUPTA**, and the Division Benches of the High Courts of Madhya Pradesh and Punjab and Haryana in **SHIVANI SINGH**, **DEVBIR SINGH** and **RUSHALI SINGHAL**, a learned Single Judge of the High Court of Jammu and Kashmir in the case of **OMER BASHIR ITOO v. STATE**⁸ holds as follows:

" "

27. Idea of having a guardian, in relation to seeking admission as 'ward' of an NRI under NRI quota will be imaginary only, when it comes to admission in Professional Education Institutions at post graduate level because by that time a candidate has since attained the age of majority. Even at graduation level, the idea of having appointed guardian may not apply in majority of the cases. Under the Guardians and Wards Act, a guardian is appointed in relation to a minor. A minor under that Act read with the Majority Act, is a person not having attained the age of majority, that is, 18 years. Experience would show that in the present era of cutthroat competition, majority of the candidates cross the age of 18 even by the time of their seeking admission in professional colleges at graduation level (like MBBS/BDS BE/B Tech etc.) and in any case age of majority is attained by the time of seeking admission at post graduate level (like MS/MD/M. Tech.). To say that 'ward' in relation to admission under NRI quota to professional colleges should be a person who has a guardian appointed by a court would render superfluous

⁸ 2014 SCC OnLine J&K 124

the category of 'wards' of NRIs as envisaged in P.A. Inamdar.

28. Contextually, it would not be wholly correct to suggest that in law entity of a 'ward' is wholly synonymous with existence of a guardian appointed by a court or that a 'ward' will not come into being until and unless there is a guardian appointed for the person claiming to be the 'ward'. **In law the concept of a guardian of a person does exist even independent of his having been appointed as guardian by a court.** For example, father or mother is the natural guardian of a minor and husband is natural guardian of his minor wife. There may be a testamentary guardian appointed by a natural guardian. **It, therefore, would not be correct to say that the Supreme Court in P.A. Inamdar has envisaged that 'Ward' for the purpose of admission under NRI quota would be one for whom an NRI has been appointed as a guardian by the court.**

....

31. The situation that may put together all the aspects and fulfill and reflect the purpose and object of NRI quota envisaged in P.A. Inamdar can be achieved by giving slightly spacious and practical meaning to the word 'ward', though within the parameters laid down by the Supreme Court and not by restricting its meaning to only a person having an NRI guardian appointed by a court. At the same time the meaning to be given to the word 'ward' cannot be such so as to add a new category of aspirants under NRI quota not envisaged by the Supreme Court. The NRI quota should not and cannot be allowed to be relegated to a source of earning NRI money only. **To make the NRI quota workable and meaningful and to harmonize the purpose and requirements envisaged in P.A. Inamdar, the word 'ward' in relation to the NRI quota used therein is required to be interpreted in such a way so that the concept and the underlying purpose are supplemented and not supplanted.**

32. Key to the meaning to be given to word 'ward' used by the Supreme Court in P.A. Inamdar can be had from the expression 'such seats should be utilized bona fide by NRIs only and for their children or wards' used by the Supreme Court. Besides the purpose envisaged in

providing the NRI quota, what is important is that there should be bona fide utilization of the quota and within the quota merit must prevail. The use would be bona fide if an NRI, besides bearing expenses on education of his own child(ren) or a candidate for whom he has been appointed a guardian, is permitted to sponsor and finance the education of a candidate, providing education to whom is his obligation or who for the purpose of education is dependent upon him. Cases would not be rare where a person, other than a parent or legally appointed guardian, has social obligation and responsibility for providing education to a candidate or where a candidate is dependent on a person other than his parents. For example, one having lost his father or both the parents, the responsibility of bringing him up and providing him education may be discharged by one of his blood relation or a distant relation. Husband has the responsibility for providing education to his wife. One may be dependent upon his grandparents. Case of a father-in-law having responsibility of providing education to the wife of his son, in particular, unemployed son will also fall in the same category. **In all such cases requirement of appointment as guardian cannot be allowed to come in the way of a person in bearing educational expenses of the candidate. It should, therefore, be permissible for an NRI, other than a parent or legally appointed guardian, to sponsor and finance education of a candidate, who is dependent upon him for education purpose or providing education to whom is his social obligation and responsibility. Responsibility or the dependence should be the criteria.**

33. In taking the view as above, I can draw support from the 2-Judge Bench Judgment of Gujarat High Court in Special Civil Application No. 9079 of 2010 (supra) relied upon by Mr. Kohli, learned counsel for the respondent No. 4. In that case petitioner had applied for NRI seat for admission in MBBS/BDS/BPT, having been sponsored by an NRI. It was admitted by petitioner's counsel before the High Court that the sponsor was a cousin brother of petitioner's father. It was stated by petitioner's counsel that there was nothing to suggest that in the past the petitioner was dependent on the sponsor in any manner but the sponsor had undertaken to pay fees for the petitioner for higher education in

MBBS course. Petitioner therefore, claimed benefit within the category of NRI dependent candidates.

34. In that case the expression 'dependent of Non-resident Indian for education purpose' as used in the Gujarat Professional Medical Educational Colleges or Institutions (Regulation of admission and fixation of Fees) Act, 2007 came up for interpretation by the Gujarat High Court. This Act seems to have been enacted pursuant to the judgment in P.A. Inamdar. The High Court has referred to the definition of NRI seats given in section 2(i) of this Act which reads:

"2(i) Non-Resident Indian Seats means fifteen per cent seats reserved for children or wards or the dependents for the education purpose, of the Non-Resident Indian, to whom admission is to be given in the professional educational colleges or institutions".

(Emphasis supplied)

35. The Division Bench in that case, while referring to P.A. Inamdar, observed that 'prescribing separate quota reserved for Non-Resident Indian students has been recognized by the Apex Court. However, the entire purpose was to make such benefit available to genuine NRI students and not to enlarge the scope to such an extent that even non-genuine students could claim such benefit.'

36. The Division Bench after referring to the meaning of the word 'dependent' in some other Acts and its definition in Black's Law Dictionary, concluded in context of the petitioner of that case, which I reproduce:

"14. In the present case, petitioner admittedly prior to filling up the form for admission in NRI quota seats never claimed any dependency on her NRI sponsor. It is also not case of the petitioner that the petitioner's parents are not able to pay fees for her higher education. Admittedly, petitioner studied upto 12th Standard without any dependence on the sponsor. Her education and all other expenses have so far been borne by her parents. It is not case of the

petitioner that her parents are not able to bear costs for her further education. In short, till she filled up her admission form, the sponsor had provided no economic support to the petitioner for her education or for any other purpose."

....

This Act too undisputedly has been enacted after the judgment in P.A. Inamdar. **High Court of Kerala has referred to the definition of Non-Resident Indian seats given in section 2(o) of that Act as 'a seats reserved for children or wards or dependents of non-resident Indians to whom admission is given by a management in a fair, transparent and a non exploitative manner on the basis of fees as may be prescribed.'** The High Court while observing that 'the State Legislature has widened the scope of NRI seats by including the dependents of NRIs also', apart from providing for children or wards as contemplated in P.A. Inamdar, however, did not deliberate upon the validity of the expansion so made as that question was not raised before the High Court.

39. I would, thus, hold that within the parameters for NRI quota laid down by the Supreme Court in P.A. Inamdar, it would be permissible for a private unaided Professional Education Institution to grant admission under the NRI quota to a candidate who is dependent upon an NRI for the purpose of his education or for whose education, an NRI is responsible, besides the NRI himself or his children. What, however, would be important is that there should be none other more responsible for education of the candidate in question than the NRI sponsoring and financing his case for admission under NRI quota. NRI quota cannot be made available to a candidate simply for the reason that some of his NRI/her relative or blood relative has agreed to provide NRI money only for the purpose of undergoing the course for which the admission is sought."

9.9. Again, a learned Single Judge of the High Court of Delhi, in an identical circumstance, in the case of **RAJIK KAUR v.**

MEDICAL COUNSELLING COMMITTEE & ANR⁹ observes as follows:

"....

10. To the surprise of the petitioner, the documents of the petitioner were rejected by the online portal on the ground that she did not upload the Court order showing that her sponsor is her legal guardian.

11. The petitioner, in the present case, is aggrieved by the impugned notification bearing No. Ref.U-11011/07/2025-MEC dated 27.05.2026 and more particularly the last paragraph, which reads as under:

"....

d) Such person should have looked after such student as the guardian of the student and evidence to that effect must have been produced before the committee by such person.

e) There should be affidavit with aforesaid fact."

Hence, the candidates applying for NRI Quota seats will have to abide/adhere with the abovementioned eligibility criteria for participation in counselling as NRI candidate/candidature. It is further informed to NEET aspirants for the academic year 2026 that MCC/competent authority will seek evidential proof/legal document from the candidates as in point 3 (d) & (e) of the order, during counselling, demonstrating that the sponsor is actually Bonafide legal guardian of the candidate as per Guardians and Wards Act, 1890."

(Emphasis supplied)

12. Mr. Nandan, learned counsel for the petitioner, draws my attention to definition clause and more particularly **Sections 4(2) and 4(3) of the Guardian and Wards Act, 1890 ("GWA")**, wherein the definition of guardian and ward which reads as under:-

"(2) "guardian" means a person having the care of the person of a minor or of his property, or of both is person and property

(3) "ward" means a minor for whose person or property, or both, there is a guardian"

⁹ W.P.(C) 11407/2026 disposed on 10.08.2026

13. He further draws my attention to **Section 8 of GWA, which reads as under:**

"8. Persons entitled to apply for order.—An order shall not be made under the last foregoing section except on the application of—

(a) the person desirous of being, or claiming to be, the guardian of the minor, or

(b) any relative or friend of the minor, or

(c) the Collector of the district or other local area within which the minor ordinarily resides or in which he has property, or

(d) the Collector having authority with respect to the class to which the minor belongs"

14. A perusal of the above shows that the GWA is only applicable to the minor children and persons taking care of a minors. The same, *prima-facie*, do not seem to apply to persons who are aged 18 and above.

15. Learned counsel of the petitioner has also drawn my attention to the date of birth of the petitioner which is stated to be 08.09.2007. The petitioner, in the present case, has crossed the age of 18 years.

16. Thus, *prima-facie*, the impugned portion of the circular dated 27.05.2026, seems to be inapplicable *qua* the petitioner as the petitioner has already crossed the age of 18 years and thus does not need to obtain the certificate required under the GWA."

(Emphasis supplied at each instance)

If the facts obtaining in the case at hand are considered on the bedrock of the principles elucidated by the Apex Court and different High Courts, what could unmistakably emerge is, the disentitlement of the petitioner for securing an allotment under the NRI quota.

10. In terms of the law as declared by the Apex Court and different High Courts, the sponsoror must be the real brother or sister of either the father or the mother, grandparents i.e., parents of either the mother or the father of the candidate or first degree paternal or maternal cousins. If this Court would interpret the same to include the sponsoror in the case at hand under the definition of 'nearest relative', it would amount to dilution of the guidelines issued for the purpose of securing seats under the NRI quota and consequently would run foul of the interpretation laid by the Apex Court and different High Courts at different times, all of which are noticed hereinabove.

11. The guidelines are unequivocal. It mandates that the person who is willing to sponsor a candidate/student must have looked after such student as the guardian of the student and evidence to that effect must have been produced before the Committee by such person. The affidavit that is placed before the Committee or uploaded, is with regard to the desirability and financial capability of sponsoring the petitioner, but does not indicate that the petitioner has been taken care of or looked after

as a guardian in the past. It is an admitted fact that the sponsoror is in the United States of America and the petitioner was here. The evidence of taking care or looking after could perhaps be the financial transaction with regard to care, concern and education of the petitioner or any candidate as the case would be, *de hors* this, for the first time an affidavit springing that the sponsoror would want to fund the education of the sponsoree, for the purpose of availing the benefit of 15% NRI quota is *sans* countenance.

12. The interim order granted by us was clear that no equities would be claimed by the petitioner in future, in the event the petition would go against the petitioner.

13. In the light of the settled principle, there is no warrant of interpretation, which would give a wider scope to the guidelines, to include all and sundry in a family who is capable of becoming of a sponsoror, more so, in the light of the fact that the person who is now willing to sponsor has at no point in time shown interest in the sponsorship or payment of fees towards the education of the petitioner.

14. Finding no warrant of interference with the rejection by the 3rd respondent for allotment of a seat under the NRI quota to the petitioner, the petition would necessarily meet its dismissal and is accordingly ***dismissed.***

**Sd/-
(M.NAGAPRASANNA)
JUDGE**

**Sd/-
(HEMA KULKARNI)
JUDGE**

BKP