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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **LPA 593/2017**

MOHD. BILAL

..... Appellant

Through: Mr. Choudhary Ali Zia Kabir,
Advocate

Versus

CENTRAL BOARD OF SECONDARY EDUCATION & ANR.

..... Respondents

Through: Mr. Amit Bansal & Ms. Seema
Dolo, Advocates for respondent No.1-CBSE
Mr. Vikram Jetley, CGSC for respondent No.2-
UOI

CORAM:

**HON'BLE MR. JUSTICE S. RAVINDRA BHAT
HON'BLE MR. JUSTICE SUNIL GAUR**

ORDER

% **11.09.2017**

C.M. 33185/2017 & C.M. 33186/2017 (u/S 151 CPC)

Allowed subject to all just exceptions.

LPA 593/2017 & C.M. 33184/2017 (for stay)

Issue notice.

Mr. Amit Bansal, Advocate for respondent No.1 and Mr. Vikram
Jetley, Advocate for respondent No.2 accept notice.

It is stated by appellant's Counsel that the copy of impugned order
has not been received. Learned Counsel for respondents agree; it is also

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**Court Master
High Court of Delhi
New Delhi**

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agreed that having regard to the urgency, since the last date for application for examination is to be given today, this Court may consider the appropriateness of interim orders.

The appeal concerns the issue of use of Aadhaar Card as a pre-requisite for appearing in UGC- National Eligibility Test (NET) examination to be conducted by the Central Board of Secondary Examination. The eligibility condition is that the candidate should possess an Aadhaar Card or should have applied for one. The learned Single Judge had rejected the challenge to this eligibility.

During the course of hearing, Mr. Amit Bansal, learned Counsel for respondent-CBSE submits that in light of Supreme Court's decision in W.P.(C) 686/2016, *All Bengal Minority Students Council & anr. Vs. Union of India & ors.*, dated 14th September, 2016 and *K.S. Puttaswamy (Retired) and another Vs. Union of India & Os.* (2015) 10 SCC 92 and also in light of the fact that Section 57 of Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits And Services) Act, 2016, authorises the use of Aadhaar Card for any other purpose "*pursuant to any law*", this Court may permit appellant's application to be taken on record and process it, provided the documents required from candidates from Jammu & Kashmir, Assam and Meghalaya i.e. a copy of the passport , a copy of bank account pass-book or any other valid identity proof of document from any authority of government, is furnished. This is subject to final outcome of the appeal; no advantage shall accrue on the basis of this order.

In light of the above statement, the appellant's application shall be taken in the circumstances of this case.

List on 9th October, 2017.


A copy of this order be given *dasti* under the signatures of the Court Master to counsel for the parties.

S. RAVINDRA BHAT, J

SUNIL GAUR, J

SEPTEMBER 11, 2017

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T.C

11-9-17
Court Master
High Court of Karnataka
Mysore