

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION
WRIT PETITION (CIVIL) NO. 889 OF 2025

XXXX

...PETITIONER(S)

VERSUS

**INDIAN INSTITUTE OF TECHNOLOGY,
KHARAGPUR & ORS.**

...RESPONDENT(S)

O R D E R

This writ petition has been filed under Article 32 of the Constitution of India seeking the following reliefs:

“In the premises aforesaid, it is most respectfully prayed that this Hon’ble Court may be pleased to:

- (i) Issue a writ of mandamus or any other appropriate writ, order or direction directing the 1st and 2nd Respondents to jointly and simultaneously process the Petitioner’s medical transfer application in strict accordance with the Inter-IIT Transfer Rules within a period of two weeks, with the medical board being constituted exclusively at AIIMS Delhi or IIT Delhi to ensure access to specialized mental health expertise, impartial evaluation free from institutional bias, and proximity to the Petitioner’s required treatment facilities.
- (ii) Issue a writ of mandamus or any other appropriate writ, order or direction directing the 2nd Respondent (IIT Delhi) to honour the conditional consent provided by its Director on 27.12.2023 and admit the Petitioner to any

suitable undergraduate program of their choice, either according to his rank or to the program in which the lowest ranked student was admitted in the relevant academic year, contingent upon completion of the medical evaluation process mandated in prayer (i) above.

- (iii) In the alternative, direct the 2nd Respondent to create a supernumerary seat for the Petitioner in any suitable undergraduate program at IIT Delhi, considering his exceptional medical circumstances, meritorious academic record (JEE Advanced AIR 3587), and the urgent necessity for geographical proximity to specialized medical facilities at AIIMS Delhi and family support system in Punjab;
- (iv) Pass any other order or direction as this Hon'ble Court may deem fit and proper in the circumstances of the case and in the interest of justice."

2. Briefly stated, the facts of the case are that in July 2023, the petitioner commenced his studies in Bachelor of Architecture (B.Arch.) course, Department of Architecture and Regional Planning at Indian Institute of Technology ('IIT'), Kharagpur, first-respondent herein. The petitioner is stated to suffer from Borderline Personality Disorder ('BPD'), whose symptoms resurfaced post his admission to IIT, Kharagpur. The petitioner has averred that a re-evaluation led to a definitive diagnosis of BPD as a chronic condition, confirmed through multiple medical consultations, including a re-assessment at PGIMER Chandigarh. The petitioner has averred that his condition requires Repetitive Transcranial Magnetic Stimulation ('RTMS') therapy, along

with continuous parental supervision. Further, while RTMS facilities exist in West Bengal, they are located in Kolkata and not Kharagpur. However, even the facilities in Kolkata are in prohibitively expensive private hospitals beyond the petitioner's financial means. Affordable government facilities providing this treatment are available at AIIMS Delhi, which is close to the campus of IIT, Delhi.

3. Therefore, following the recurrence of severe symptoms, the petitioner initiated a request for an inter-IIT transfer to IIT, Delhi in November 2023. Since IIT, Delhi does not offer a B.Arch. course, the petitioner has stated that the transfer would have necessitated a placement in a suitable Bachelor of Technology ('B.Tech.') course, or to a branch to which the lowest All India Rank JEE student was admitted. However, by letter dated 13.02.2024 by the Chairman JEE (Advanced), the request was formally rejected on four primary grounds — insufficient JEE rank, curriculum differences, non-equivalency of the B.Arch. and B.Tech. courses and inapplicability of the transfer rules to Architecture students.

4. Subsequently, the petitioner sought legal aid through both the Delhi and Calcutta High Court Legal Services Committees. Both Committees' panel advocates declined jurisdiction. Thereafter, the petitioner approached the National Legal Services Authority ('NALSA'),

which forwarded the matter to the Supreme Court Legal Services Committee in April 2025. Hence, the present Writ Petition was filed, *inter alia*, seeking directions to process the petitioner's medical transfer application. The petitioner contends, *inter alia*, that there is demonstrable substantial course compatibility between the petitioner's B.Arch. program and the B.Tech. program at IIT, Delhi.

5. By order dated 26.09.2025, this Court issued notice in the instant matter. By order dated 15.07.2026, this Court noted that the petitioner cannot avail of a transfer to IIT, Delhi on medical grounds, owing to the difference in the curriculum of the B.Arch. course. Therefore, learned senior counsel, Ms. Shoba Gupta submitted that the petitioner may be transferred to IIT, Roorkee. Recording this submission, this Court directed the petitioner to appear before AIIMS Delhi on 20.07.2026, so that the petitioner would be medically evaluated, and a report would be submitted to this Court by a Medical Board constituted by the Director of AIIMS.

6. The Medical Board has submitted its report dated 23.07.2026, in which it concluded that after a detailed assessment of the petitioner and a review of previous medical records, the Board is of the opinion that the petitioner "*is suffering from recurrent depressive disorder and is currently asymptomatic and maintaining well on medication*".

7. We have heard learned senior counsel for the petitioner and learned counsel appearing for the respective respondents/IIT, Kharagpur and IIT, Roorkee.

8. Learned counsel for the IIT, Roorkee submitted that if this Court is inclined to grant the relief to the petitioner, then he would have to join the first year/semester of B.Arch. course inasmuch as there cannot be a continuity in the course on transfer. Secondly, the order to be passed in this case may not be treated as a precedent insofar as the IIT, Roorkee is concerned.

9. In response to this submission, learned senior counsel for the petitioner submitted that the petitioner is willing to join the first year/semester of B.Arch. course in the IIT, Roorkee as he is availing medical treatment from PGIMER, Chandigarh. In the circumstances, this Court may exercise its power under Article 142 of the Constitution of India and grant relief to the petitioner herein.

10. We find that the interest of justice would be served in the instant case if a direction is issued to respondent no.1 to issue necessary transfer/migration certificate and other original documents pertaining to the petitioner so that he could take transfer/migration and admission in the IIT, Roorkee. The said exercise shall be carried out

within a period of one week from today as the current academic year is stated to have commenced on 17.07.2026. The respondent IIT-Roorkee shall admit the petitioner immediately on furnishing the migration certificate as well as other relevant documents by the petitioner.

11. Ordered accordingly.

12. We have passed this order in exercise of our powers under Article 142 of the Constitution of India bearing in mind the peculiar health issues faced by the petitioner herein and the fact that he is availing treatment at Chandigarh whereas he is currently pursuing his studies at IIT, Kharagpur and on account of the distance between the two places his ailments have not been effectively treated.

13. It is needless to observe that the petitioner shall comply with all the requirements regarding the fee structure and other payments that the petitioner has to make to the IIT, Roorkee.

14. With the above observations and directions, the Writ Petition stands disposed.

Pending application(s) shall stand disposed of.

.....J.
(B.V. NAGARATHNA)

.....J.
(R. MAHADEVAN)

NEW DELHI
JULY 30, 2026

ITEM NO.35

COURT NO.3
S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

SECTION X

Writ Petition(s) (Civil) No(s). 889/2025

XXXX

Petitioner(s)

VERSUS

INDIAN INSTITUTE OF TECHNOLOGY, KHARAGPUR & ORS. Respondent(s)

IA No. 23547/2026 - INTERVENTION/IMPLEADMENT

IA No. 234476/2025 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES

IA No. 163776/2026 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES

IA No. 24793/2026 - PERMISSION TO FILE AMENDED WRIT PETITION

Date : 30-07-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE B.V. NAGARATHNA

HON'BLE MR. JUSTICE R. MAHADEVAN

For Petitioner(s) :Ms. Shobha Gupta, Sr. Adv.
Ms. Jyoti P. Deborah, Adv.
Ms. Divya Mishra, Adv.
Ms. Anita, Adv.
Mr. Dev Bharti, Adv.
Mr. Jaydip Pati, AOR

For Respondent(s) :Mr. Amith Krishnan H, AOR

Ms. Mrinal Gopal Elker, AOR
Ms. Silpi S Swain, Adv.

Mr. Shaiwal Srivastava, Adv.
Ms. Ghanishtha Mishra, Adv.
Mrs. Rachna Gupta, AOR

UPON hearing the counsel the Court made the following

O R D E R

I.A No. 23547/2026, application for
intervention/impleadment is allowed. Cause title be amended
accordingly.

I.A. No. 24793/2026 - application for permission to file
amended Writ Petition is also allowed.

The Writ Petition stands disposed in terms of the signed order.

Pending application(s) shall stand disposed of.

(NEETU SACHDEVA)
DEPUTY REGISTRAR

(DIVYA BABBAR)
COURT MASTER (NSH)

(Signed order is placed on the file)