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CASE ANALYSIS ON DR. TANVI BEHL V. SHREY GOEL & ORS.: CIVIL APPEAL NO. 9289 OF 2019 / 2025 INSC 125

Selvaprasad. T¹ & Gowthaman. M²

I. ABSTRACT

The Supreme Court of India, in Dr. Tanvi Behl v. Shrey Goel & Ors., delivered a significant constitutional ruling on whether residence-based or domicile-based reservation in post-graduate medical courses is constitutionally valid. This case is arisen from the Union territory of Chandigarh, where the Government medical college and Hospital reserved all 64 state quota seats either for Institutional based preference or for the person satisfying residential criteria of the Chandigarh. This was challenged before the High court of Punjab and Haryana and High Court held that it unconstitutional on the ground it violated the Article 14 of the Constitution of India. The matter was subsequently referred to the larger bench of Supreme Court after the division bench framed question of law for authoritative determination. A three-Judge Bench comprising Justices Hrishikesh Roy, Sudhanshu Dhulia, S.V.N. Bhatti held that residence-based reservation in PG medical course admission is constitutionally impermissible and violates the right to equality guaranteed under Article 14 of the Constitution. The Court reaffirmed the principles laid down in Jagadish Saran v. Union of India, Dr. Pradeep Jain v. Union of India, and the Constitution Bench decision in Saurabh Chaudri v. Union of India. It also clarified that the concept of provincial or state domicile is alien to the Indian Legal system, as India recognise only one Domicile, which is domicile of India. The court further distinguished between permissible residence-based reservation in MBBS course and impermissible reservation at the PG level, where merit must remain paramount. The ruling strengthened constitutional equality and reaffirms that the national citizenship cannot be subordinated to residence-based preferences in higher medical education.

¹ LL.M (IPR Law), 3rd Semester, Student at Government Law College Thiruchirappalli, affiliated with Tamil Nadu Dr. Ambedkar Law University, Chennai (India). Email: selvaprasad2002@gmail.com

² Advocate at High court of Madras (India). Email: gow.attornatus@gmail.com

II. KEYWORDS

Article 14, Domicile, PG Medical Course, Residence-Based Reservation, Institutional Preference.

III. INTRODUCTION

India is one of the countries with one constitution, one citizenship, one set of laws. Every citizen has the right to live, work, study, and seek opportunity in the country. But after independence over the years, many states have tried to give special benefits to their own residents- especially in the government jobs and college admissions. This is often called the “sons of the soil”, which means that the people who lives in that place get preference over the people of “outsiders.”

The case of *Dr. Tanvi Behl v. Shrey Goel & Ors.* deals with this constitutional problem in the context of postgraduate medical admissions.³ The question before the Supreme Court is: Can the state government enact a law that specifically provide reservation to their own people who lives in that state?

Chandigarh, a Union territory, had only one medical college where it has 64 seats in State quota. These seats are further classified into two groups. The First group is for students who had already done their UG in the same college – this is called Institutional Preference. The Second group, called UT Chandigarh pool, here the seats are reserved for the people who had some connection with Chandigarh- like having studied, lived, or owned property there for five years in any point in their life.

The main core problem here is among these state quotas not even one seat was open to a highly qualified doctor from another state based on their NEET rank. The Supreme court stepped in and declared this system as unconstitutional. This is the one of the important cases because it protects the right of every doctor to compete for PG medical seats on the basis of merit alone, no matter which state they come from.

³ *Dr. Tanvi Behl v. Shrey Goel & Ors.*, Civil Appeal No. 9289 of 2019, 2025 INSC 125, Supreme Court of India, 29 January 2025.

IV. FACTUAL AND PROCEDURAL BACKGROUND OF THE CASE

A. Background Facts

The Government Medical college and Hospital, Chandigarh is the sole medical college in the Union territory of Chandigarh. For the ACADEMIC YEAR 2019-2020, the medical college had 64 PG medical seats falling within the State Quota, which were distributed as follows:

1. **Institutional Preference (IP) Pool:** 32 seats (5 reserved for SC, 27 General) - restricted to candidates who had completed their MBBS from the Government Medical College and Hospital, Chandigarh itself.
2. **Ut Chandigarh Pool:** 32 seats (5 reserved for SC, 27 General) - restricted to candidates satisfying one of three residential criteria.

The eligibility conditions prescribed for the UT Chandigarh Pool were broadly framed. A candidate was eligible if:

1. he or she had studied in Chandigarh for five years at any time prior to the application date; or
2. his or her parents had resided in Chandigarh for five years at any time pursuing a profession or employment; or
3. the candidate or his or her parents held immovable property in Chandigarh for five years at any time. In effect, not a single seat under the State Quota was open to a meritorious all-India candidate from outside Chandigarh.

B. Challenge Before the High Court

Petitions were filed before the Punjab and Haryana High Court challenging the UT Chandigarh Pool as it is being conflict with the settled constitutional Jurisprudence, particularly in *Jagadish Saran v. Union of India*, *Dr. Pradeep Jain v. Union of India*, and *Saurabh Chaudri v. Union of India*.⁴ The High Court after a careful review and held that the reservation of PG Medical seats on the basis of residence was violative of Article

⁴ *Jagadish Saran v. Union of India* (1980) 2 SCC 768; *Dr. Pradeep Jain v. Union of India* (1984) 3 SCC 654; *Saurabh Chaudri v. Union of India* (2003) 11 SCC 146.

14 of the Constitution. It struck down clauses 2B (i), (ii), and (iii) of the prospectus and directed that all vacated seats be filled strictly on the basis of NEET merit.

C. Proceedings Before the Supreme Court

The students admitted under the UT Chandigarh Pool appealed to the Supreme Court. The Supreme Court first gave temporary Stay which means admissions already done would continue for the time being, but the final outcome would depend on the Court's decision. Since the legal question was important and needed a clear answer, a Division Bench framed specific questions and sent the case to a larger Bench of three Judges for a final ruling.

V. LEGAL ISSUES INVOLVED IN THE CASE

The Supreme Court was asked to answer the following questions:

1. Is giving reservation in PG Medical Course seats based on where a person lives (residence or domicile) allowed under the Constitution? Or is it unconstitutional?
2. (a) If such reservation is allowed, then how much of it can be given, and in what way? (b) Also, if all admissions are based on NEET rank, how should residence-based reservation work in a State or UT that has only one medical college?
3. If such reservation is NOT allowed, then how should the remaining State Quota seats (other than institutional preference seats) be filled?

VI. ARGUMENTS ADVANCED BY THE PARTIES

A. ARGUMENTS OF THE APPELLANTS (Those Defending the Chandigarh Scheme)

1. They argued that the Supreme Court in *Saurabh Chaudri v. Union of India* had recognised that Article 15 of the Constitution does not expressly prohibit residence-based classification.⁵ So, they said, it should be allowed.

⁵ *Saurabh Chaudri v. Union of India* (2003) 11 SCC 146.

2. They said Chandigarh is a small Union Territory with only one medical college, and it has special local healthcare needs that justify giving its own residents a preference.
3. They argued that institutional preference (giving seats to students from the same college) has been allowed by courts, and residence-based preference is no different in nature.

B. ARGUMENTS OF THE RESPONDENTS (Those Challenging the Scheme)

1. They argued that the law is already settled. They argued that the governing line of precedent, beginning with *Jagadish Saran* and followed in *Dr. Pradeep Jain* and *Saurabh Chaudri*, makes it clear that residence-based reservation in PG medical courses is impermissible and violates Article 14 of the Constitution.
2. They pointed out that India does not have 'State domicile'. Every Indian has only one nationality – Indian – and cannot be treated as a foreigner in another state. Using residential criteria for PG admissions goes against this basic idea.
3. They said that at the PG level, merit is the most important factor because the country needs the best specialist doctors. Allowing weaker candidates just because they live in a particular place is harmful to public health and against the Constitution.
4. They pointed out that the Chandigarh eligibility rules were extremely broad and irrational. For example, just owning property in Chandigarh for five years at any point in the past- even decades ago – made someone eligible. This has nothing to do with actual healthcare needs of the local area.

VII. RESEARCH AND ANALYSIS

A. What does 'Domicile' Mean in India?

The word 'domicile' is a legal term. In ordinary usage, it is often understood as the place where a person has a permanent home. However, in law, domicile is more closely connected with the legal system that governs a person's personal status. Halsbury's Laws of England describes domicile in this sense, and this understanding

was adopted in *Dr. Pradeep Jain* and later reaffirmed in *Dr. Tanvi Behl*. In India, the Supreme Court has consistently explained that every Indian citizen has only one domicile, namely the domicile of India. There is no separate “Maharashtra domicile” or “Chandigarh domicile.” Even if a person permanently resides in a State or Union Territory, their domicile remains Indian and not provincial.

The Court’s understanding of domicile traces back to *D.P. Joshi v. State of Madhya Bharat*⁶ and was further clarified in *The State v. Narayandas Mangilal Dayame*. In *Narayandas Mangilal Dayame*, Chief Justice Chagla explained that, in India, domicile cannot be treated as provincial or State-based because the relevant legal system is the legal system of the whole country. This reasoning was directly relied upon in *Dr. Tanvi Behl* while rejecting the idea of State domicile. The Court also recognised that while residence may sometimes be used for administration purposes, it is different from the constitutional concept of domicile. This decision laid the foundation for the courts later interpretation that India has a single national domicile.

Relying on this principle, the Court in the present case observed that several State Governments have incorrectly used the word “domicile” when they actually mean “permanent residence.” The Court stated that this misuse is legally incorrect and has the potential to undermine the constitutional idea of one united nation. If States begin treating their own residents as more deserving than citizens from other States, it weakens the principle of equality and national integration. Therefore, the Court emphasised that such misuse of the term “domicile” should not continue.

B. What did earlier court Judgement Say?

The Court looked at several earlier important Judgements that directly deal with this issue:

1. **Jagadish Saran v. Union of India:** concerned institutional preference in postgraduate medical admissions. The Court accepted limited institutional preference, but emphasised that at higher levels of medical education, merit

⁶ *D.P. Joshi v. State of Madhya Bharat* AIR 1955 SC 334.

must remain the dominant criterion⁷ to students who studied their MBBS in the same college for PG admission. The Court held that such preference was permissible. (this is called Institutional Preference). But the court also said something very important about the PG courses that at the highest levels of education, merit must be the main criteria for the selection. And cannot easily compromise merit just because of where someone come from residence.

2. **Dr. Pradeep Jain v. Union of India:** directly considered residence-based reservation in medical admissions and held that, while limited preference may be justified at the undergraduate level, residence-based reservation in postgraduate medical courses is constitutionally impermissible.⁸ The court clearly said NO to this question. The Court observed that India is one nation with one citizenship. Every citizen has the equal right to study and work anywhere in the country. Just because a person lives in state A does not mean they deserve more chance at education than a person from State B. Talent is found everywhere it is not found only in one state. The Court was especially concerned about the growing trend of 'sons of the soil' demands that were slowly breaking up national unity.
3. **Magan Mehrotra v. Union of India:** reaffirmed the principles laid down in *Dr. Pradeep Jain* and reiterated that postgraduate medical admissions must primarily be governed by merit rather than local or residence-based preference.⁹ It reiterated that admissions to PG medical courses should primarily be based on merit and that excessive preference based on residence or local status would be inconsistent with the constitutional principles governing higher professional education.
4. **Saurabh Chaudri v. Union of India:** A Constitution Bench decision, approved the distinction between institutional preference and residence-based reservation, and reaffirmed that residence-based reservation in PG

⁷ *Jagdish Saran v. Union of India* (1980) 2 SCC 768.

⁸ *Dr. Pradeep Jain v. Union of India* (1984) 3 SCC 654.

⁹ *Magan Mehrotra v. Union of India* (2003) 11 SCC 186.

medical courses cannot override Article 14.¹⁰ In this case they fully agreed with what was said in *Pradeep Jain v. Union of India*. The Court said that residence-based reservation in PG Medical course is not allowed and it violates Article 14 of the Constitution. The Appellants in the present case tried to use one line from this Judgement where the court said Article 15 does not specifically mention 'Residence' as a prohibited ground and that is too allowed. But the Supreme Court in the present case rejected this argument and said you cannot read just one line from the Judgement. The whole judgement of *Saurabh Chaudri* clearly says residence-based reservation in PG courses is Unconstitutional.

5. **Nikhil Himthani v. State of Uttarakhand:** struck down a policy reserving PG medical seats exclusively for candidates domiciled in Uttarakhand, reaffirming that State residence alone cannot exclude other meritorious Indian citizens¹¹ that reserved PG medical seats exclusively for the candidates domiciled in Uttarakhand. The Court held that such reservation violated the constitutional principles laid down in *Pradeep Jain* and reaffirmed that State residence alone cannot be the basis for excluding other equally meritorious Indian citizens from PG medical education.
6. **Vishal Goyal v. State of Karnataka:** again, reiterated that admission to PG medical courses must primarily be governed by merit and that residence-based preference cannot defeat the constitutional guarantee of equality.¹² It reaffirmed that residence-based preferences cannot override constitutional guarantees of equality and further strengthened the line of authority established in *Pradeep Jain* and *Saurabh Chaudri*.
7. **Neil Aurelio Nunes v. Union of India:** reaffirmed the continuing relevance of *Dr. Pradeep Jain* in the context of medical admissions and constitutional equality in higher medical education.¹³ While the principal issue concerned reservations under the All-India Quota, the Court reaffirmed that PG

¹⁰ *Saurabh Chaudri v. Union of India* (2003) 11 SCC 146.

¹¹ *Nikhil Himthani v. State of Uttarakhand* (2013) 10 SCC 237.

¹² *Vishal Goyal v. State of Karnataka* (2014) 11 SCC 456.

¹³ *Neil Aurelio Nunes v. Union of India* (2022) 4 SCC 1.

medical admissions must be consistent with constitutional principles of equality and merit. It recognised Pradeep Jain as continuing to be the governing precedent and reaffirmed the importance of maintaining national integration in admissions to higher medical education.

Taken together, these judgments demonstrate a consistent constitutional position over several decades. While limited institutional preference has been accepted in certain circumstances, the Supreme Court has repeatedly held that residence-based reservation in PG medical courses is inconsistent with Articles 14 and 15 of the Constitution, undermines merit, and weakens the constitutional vision of a single national citizenship. The present judgment follows and reinforces this well-established line of precedent.

C. Why is Residence-Based Reservation Allowed in MBBS but Not in PG?

This is a very practical and important point that the Court explained clearly. At the MBBS level (basic medical degree), a small amount of residence-based or institutional preference is allowed. Why? Because:

1. The State Government pays a lot of money to build and run medical colleges. So, giving some preference to local students at the MBBS level is seen as a fair trade.
2. MBBS doctors who study in a local college are more likely to go back and serve in that local area after graduating. This helps people in smaller towns and rural areas get medical care.
3. At the basic MBBS level, a small relaxation of marks does not cause major harm.

But at the PG level (MD, MS - specialist courses), the situation is completely different:

1. Specialist doctors are needed by the whole country, not just one State. A cardiologist or a neurosurgeon trained in Chandigarh will serve patients from all over India.

2. At the PG level, the best and most talented doctors must be selected. If less meritorious candidates are admitted just because of where they live, the quality of specialist healthcare in the country goes down.
3. There is no guarantee that a 'local' PG graduate will stay and serve in that local area.

The Court said: at the basic level (MBBS), some local preference is understandable. But at the top level (PG), only merit should matter.

D. Institutional Preference is Different from Residential Preference

The Court made it clear that these two things are very different:

Institutional Preference (allowed): Giving some seats to students who already studied MBBS in the same college makes sense. These students already know the hospital, the patients, the equipment, and the teaching style. Their PG training will be more effective. This is a logical and fair reason.

Residential Preference (not allowed): Giving seats just because a person lived or owned property in a city has no logical connection to how good a doctor they will become. It is an arbitrary (random and unfair) classification. The Court said this kind of classification fails the test of Article 14, which says all laws must have a fair and logical reason behind them.

E. What Do Articles 14, 15, and 16 Say?

Article 14 says the State must treat everyone equally and cannot make laws that create unfair differences between people. Any classification (grouping people differently) must have a logical and fair reason.

Article 15 says the State cannot discriminate on the basis of religion, race, caste, sex, or place of birth. It does not mention 'residence' as a prohibited ground. The appellants used this to argue that residence-based reservation is allowed. But the Court said even if Article 15 does not specifically mention residence, any classification based on residence still has to pass the test of Article 14. Since residence-based reservation in PG courses has no rational justification, it fails under Article 14.

Article 16 concerns equality of opportunity in public employment and permits Parliament, not State Governments, to prescribe residence as a qualification in limited circumstances, demonstrating the Constitution's caution in using residence as a basis for legal preference.¹⁴ This shows how sensitive the Constitution is about using residence as a basis for giving advantages. If even for employment it is restricted, it certainly cannot be freely allowed in higher education.

VIII. JUDGMENT

The Supreme Court's judgment in *Dr. Tanvi Behl v. Shrey Goel & Ors* may be split into the following heads:

1. Ratio Decidendi, which includes the binding principles of law, and
2. Obiter Dicta, which are the non-binding persuasive principles of law laid down by the Court.

A. Ratio Decidendi

These are the binding rules from this judgment that all courts and authorities must follow:

1. Residence-based or domicile-based reservation in PG medical courses is unconstitutional because it violates Article 14 of the Constitution. No State or Union Territory may reserve PG medical seats exclusively for its own residents.¹⁵ No State or Union Territory can reserve PG Medical seats only for its own residents.
2. India recognises only one domicile Indian domicile. There is no 'State domicile.' Every Indian citizen has the right to access educational opportunities anywhere in the country. State Governments must stop wrongly using the word 'domicile' to mean 'permanent residence.'
3. In PG Medical Courses, merit must be the primary basis of admission. These are the highest levels of professional medical training and the entire country

¹⁴ Constitution of India 1950, art 16.

¹⁵ Constitution of India 1950, art 14.

depends on the quality of specialist doctors. Giving seats to less meritorious candidates just because of where they live is both unfair and harmful.

4. Institutional preference giving some seats to students who completed MBBS from the same college continues to be allowed. It has a logical reason and helps in better PG training.
5. In the specific case of Chandigarh: Out of 64 State Quota seats, the 32 seats under the Institutional Preference Pool are valid and are upheld. The 32 seats under the UT Chandigarh Pool are unconstitutional and must be filled purely on the basis of NEET merit rank.

B. Obiter Dicta

These are not binding rules, but they are important opinions of the Court that carry weight:

1. The Court warned that 'sons of the soil' demands, if allowed to grow without limits, will slowly break the unity of India. The Constitution was designed to make every Indian a citizen of the whole country not just of one State.
2. The eligibility conditions in the UT Chandigarh Pool were unnecessarily broad and made no sense. For example, allowing someone who owned property in Chandigarh 'at any time' for five years even if that was 30 years ago to claim a medical seat has nothing to do with healthcare needs of Chandigarh today.
3. The Court referred to the speech of Dr. B.R. Ambedkar in the Constituent Assembly, where he said that making 'residence' a qualification for opportunities within a State reduces the value of common citizenship. This was a fundamental concern of the Constitution's makers.
4. Although this case is about PG Medical admissions, the Court's explanation of domicile has a broader meaning. Wherever State Governments try to use residence as a basis for special benefits, they must be very careful that it does not violate the equal rights of other Indian citizens.

5. The Court also said that students who were already admitted under the UT Chandigarh Pool and are currently studying or have already completed their course will NOT be affected by this judgment. The judgment only applies going forward. This protects students who had relied on the earlier scheme in good faith.

IX. CONCLUSION AND COMMENTS

The case of *Dr. Tanvi Behl v. Shrey Goel* is an important judgment that protects one of the most basic ideas in our Constitution that every Indian citizen is equal and has the right to seek opportunities anywhere in the country. The Supreme Court has clearly said that a doctor from Kerala cannot be treated as an 'outsider' in Chandigarh, and a doctor from Rajasthan cannot be denied a PG Medical seat in Punjab simply because of where they live.

The judgment is significant because even after three earlier court decisions *Jagdish Saran v. Union of India* (1980), *Dr. Pradeep Jain v. Union of India* (1984), and *Saurabh Chaudri v. Union of India* (2003) had settled this question, some State Governments and Union Territories were still finding ways to continue residential preferences. This case puts a firm stop to that practice.

One of the most practically useful parts of this judgment is the clear explanation of why MBBS and PG courses are treated differently. At the MBBS level, some local preference makes sense because of the way local communities benefit from local doctors. But at the PG level where we are talking about specialist surgeons, physicians, and other experts only the best should be chosen, and that must be done through open and fair competition across all of India.

The judgment also makes the important point that the quality of healthcare available to ordinary Indian people depends directly on how good our specialist doctors are. If we allow less qualified doctors into PG programmes just because of where they come from, the people who ultimately suffer are ordinary patients across the country.

By protecting the rights of students who were already admitted under the challenged scheme, the Court also showed that it understands the practical needs of real people

and does not want to create unnecessary hardship for students who relied on the earlier rules in good faith.

In short, this case stands for three important values: equal opportunity for all Indians, merit-based selection in higher education, and the unity of India as one nation where every citizen has equal rights everywhere. It is a judgment that legal students, medical professionals, and policy makers must all understand and remember.

X. REFERENCES

A. Cases Referred to in the Judgment

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2. Jagadish Saran v. Union of India, (1980) 2 SCC 768.
3. Dr. Pradeep Jain v. Union of India, (1984) 3 SCC 654.
4. Saurabh Chaudri v. Union of India, (2003) 11 SCC 146.
5. Magan Mehrotra & Ors. v. Union of India & Ors., (2003) 11 SCC 186.
6. Nikhil Himthani v. State of Uttarakhand, (2013) 10 SCC 237.
7. Vishal Goyal v. State of Karnataka, (2014) 11 SCC 456.
8. Neil Aurelio Nunes (OBC Reservation) v. Union of India, (2022) 4 SCC 1.
9. D.P. Joshi v. State of Madhya Bharat, AIR 1955 SC 334.
10. The State v. Narayandas Mangilal Dayame, AIR 1958 Bombay 68 (FB).

B. Constitutional Provisions

1. The Constitution of India, 1950 – Article 5 (Domicile at the time of the Constitution).
2. The Constitution of India, 1950 – Article 14 (Right to Equality).
3. The Constitution of India, 1950 – Article 15 (Prohibition of Discrimination).
4. The Constitution of India, 1950 – Article 16 (Equal Opportunity in Government Employment).
5. The Constitution of India, 1950 – Article 19(1)(d) and (e) (Freedom to Move and Settle Anywhere in India).

C. Other Sources

1. Halsbury's Laws of England (4th ed.), Vol. 8, para 421.
2. Constituent Assembly Debates, Vol. VII, pp. 700-701 (Speech of Dr. B.R. Ambedkar).