

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (C) No. 1793 of 2015**

Swarnnita Roy Kirtoniya D/o Shri Swapan Kumar Kirtoniya, aged about 19 years,
R/o House No. III/Nos/232 In front of SBI Kirandul, District Dantewada,
Chhattisgarh.

---- **Petitioner****Versus**

The State of Chhattisgarh through-

1. Director, Medical Education Directorate, New Mantralaya, Indrawati Bhawan,
New Raipur, Chhattisgarh.
2. Secretary, Health and Medical Education Ministry, Indrawati Bhawan, New
Raipur, Chhattisgarh.
3. Director/Dean, Nehru Medical College Hospital, Education Department, In front
of Central Jail, Raipur, District Raipur, Chhattisgarh.
4. Director/Dean, Government Medical College, Jagdalpur, District Bastar,
Chhattisgarh.

---- **Respondents**

For Petitioner	:	Shri Abdul Wahab Khan, Advocate.
For Respondents	:	Shri Prafull N Bharat, Additional Advocate General.

Hon'ble Shri Navin Sinha, Chief Justice
Hon'ble Shri P. Sam Koshy, J.

Order on Board**Per Navin Sinha, Chief Justice****15/10/2015**

1. The present writ application assails denial of admission to the Petitioner in the Jagdalpur Medical College pursuant to her having qualified in the Chhattisgarh Pre-Medical Test Examination 2015-16.
2. Learned Counsel for the Petitioner submits that she is the ward of an employee in the National Mineral Development Corporation (hereinafter called 'the NMDC') belonging to the Scheduled Caste and had applied for admission in that category. There was an agreement between the State Government and

the NMDC that five seats would be kept reserved and provided to the wards of employee of NMDC. The Petitioner was a candidate in the Scheduled Caste category belonging to "Namasudra". Since NMDC is a Government of India entity and "Namasudra" has been declared as Scheduled Caste in the Presidential Notification issued by the Government of India, the Petitioner was entitled to be considered for appointment on both grounds.

3. Opposing the application, Learned Additional Advocate General submitted that there is no pleading in the writ application that the Petitioner is a ward of an NMDC employee . It is next submitted that to qualify for admission against the State quota seat under any agreement between the State Government and the NMDC, the Petitioner had to be a Scheduled Caste recognized by the State Government notification. "Namasudra" is not a Scheduled Caste in the notification with regard to the State of Chhattisgarh.

4. We have considered the submission on behalf of the parties and are satisfied that because the extended time limit for admission as fixed by the Supreme Court till 7.10.2015 has also expired, there is no occasion for us to examine the allegation and counter-allegations as no relief whatsoever can now be granted to the Petitioner.

5. The writ petition is dismissed.

Sd/-

(Navin Sinha)
CHIEF JUSTICE

Sd/-

(P. Sam Koshy)
JUDGE