

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (C) No. 1817 of 2015**

Ku. Suman Sinha D/o Shri Dhanni Ram Sinha, Aged About 20 Years
R/o Village Arjuni, Post Office Demar, Police Station Arjuni, District
Dhamtari, (Chhattisgarh)

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Medical Education Department, Mahanadi Bhawan, Mantralaya, Naya Raipur, Post Office & Police Station Naya Raipur, District Raipur, (Chhattisgarh)
2. The Secretary, Higher Education Department, Naya Raipur, Mahanadi Bhawan, Mantralaya, Naya Raipur, Post Office & Police Station Naya Raipur, District Raipur, (Chhattisgarh)
3. The Director, Directorate Of Medical Education, Old Nurses Hostel, D K S Bhawan Parisar, Raipur, District Raipur, (Chhattisgarh)

---- Respondents

For Petitioner:	Shri Prateek Sharma, Advocate.
For Respondent/State:	Shri Vivek Sharma, Panel Lawyer.

Hon'ble The Chief Justice
Hon'ble Shri Justice P. Sam Koshy

Order On Board**Per Navin Sinha, Chief Justice****9/10/2015**

1. In this writ application, the Petitioner is aggrieved by non-consideration for admission at the last counseling conducted on 30.9.2015 pursuant to the Chhattisgarh Pre-Medical Test, 2015.
2. Learned Counsel for the Petitioner submits that the Petitioner is a candidate in the OBC Women Category. She obtained 327th rank in the overall merit. Her rank in the OBC category was 85th and in the female category 34th. She participated in the first three rounds of counseling unsuccessfully. Pursuant to the availability of certain additional seats, pursuant to certain peculiar facts relevant for the present year, the authorities

held further counseling on 30.9.2015. The Petitioner was not considered even while the candidates upto ranking 362 in overall merit, have been considered.

3. Learned Counsel for the State submitted that no relief whatsoever can be granted to the Petitioner today since even according to the order of the Supreme Court, the extended date for admissions as 7.10.2015 has also expired.

4. We have considered the submissions on behalf of the parties.

5. There have been a number of cases before us for admission with regard to the Chhattisgarh Pre-Medical Test Admission, 2015 in the recent past two weeks and we have had occasion to deal with different issues in at least 10-15 cases. In more than one case, the Learned State Counsel obtained instructions and assisted us in the matter.

6. Relevant for the present discussion, in some of the cases, Learned Counsel for the State informed us that in the last round of counseling held on 30.9.2015, because it was required to be done, in the facts peculiar to the present year, due intimation was sent to all the candidates including by SMS. Large LED screens were put at the admission venue which was centralized.

7. Though it has been submitted before us that the Petitioner was present at the venue, she was not called for admission as no procedure for registration was provided at the place, but we find that there is no assertion in the pleading that the Petitioner was physically present and even if we assume to that extent, there is no explanation furnished in the pleadings or in the submissions before us that if the Petitioner was present in person and on the LED Screen, the name of candidates with lesser rankings was being displayed calling them for counseling, why the Petitioner did not protest and

meet the concerned authority on the spot, much less did she submit any written objection for being denied counselling. There can be no presumption regarding her presence at the counselling.

8. Considering the aforesaid as also the fact that the extended time of admission by the Supreme Court has also lapsed on 7.10.2015, we find it difficult to grant any relief to the petitioner.

9. The Writ Petition is dismissed.

Sd/-
(Navin Sinha)
CHIEF JUSTICE

Sd/-
(P. Sam Koshy)
JUDGE