

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CWP No. 15122 of 2015
Decided on : 28.09.2015**

Vishal Sharma

... Petitioner

Versus

Union of India and others

... Respondents

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present : Mr. Arun Bansal, Advocate
for the petitioner.

Mr. Aman Bahri, Addl., AG, Punjab.

Mr. Siddharth Sharma, Advocate
for respondent No.4.

G.S. Sandhawalia , J. (Oral)

Counsel for the petitioner has only restricted his argument that the petitioner being from riot/terrorist affected category has not been given the benefit of reservation in the private medical institutes.

The said argument cannot be accepted in view of the provisions of the The Punjab Private Health Sciences Educational Institutions (Regulation of Admission, Fixation of Fee & Making of Reservation) Act, 2006. Section 6 of the said Act provides for the reservation to be made in the open merit category and in the management category only for advancement of socially and educationally backward classes of citizens or for Scheduled Castes or Scheduled Tribes.

The category from which the petitioner belongs does not fall in the said category and, therefore, there is no such reservation in the private medical colleges.

The notification provides for reservation in Government Medical Colleges/Dental Colleges of the said category and Clause 21 provides for admission to private institutes, where seats are divided between 50% belonging to the Government quota and 50% of the management quota. There is no such reservation provided in prospectus.

The petitioner had taken a chance while applying for admission and the terms of the notification had never been challenged at that stage. Having failed to get admission on the basis of a reservation seat, she is stopped from challenging the terms of the prospectus, at this stage.

Accordingly, there is no merit in the present writ petition and same is dismissed.

SEPTEMBER 28, 2015
Naveen

(G.S. SANDHAWALIA)
JUDGE