

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

**CWP No.25811 of 2015
Decided on : 11.12.2015**

Global Institute of Nursing

... Petitioner

Versus

State of Punjab & others

... Respondents

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

Present : Mr.K.S.Dadwal, Advocate, for the petitioner.

Mr.Anshul Gupta, AAG, Punjab.

Mr.Sarbjit Singh, Advocate, for respondent No.3.

G.S. Sandhawalia , J. (Oral)

Prayer in the present writ petition is that the examination forms of 28 students of the petitioner's-Institute be accepted and for issuance of the roll numbers, as they are eligible to appear in the examinations of 2nd year's ANM course.

It is the case of the petitioner that the result of the said students was declared on 19.08.2015 (Annexure P2). Case of respondent No.2 is that the examination forms have never been submitted and are only permissible with late fees. Reference is made to the notification dated 11.03.2014 (Annexure R1). A perusal of Clause 4(iii) of the notification would go on to show that late fees of Rs.100/- per student, per day, is to be paid by 31.07.2015 (15 days prior to the examinations). It is the case of the respondents that this has not been done.

Counsel for the petitioner has, however, pointed out

that a demand draft dated 12.10.2015 to the tune of Rs.25,451/- was sought to be deposited with the respondent-Council by the petitioner-Institute, well before the prescribed period of 15 days but the same was never accepted and neither any demand was raised for late fees. Counsel for the petitioner submits that the petitioner is willing to deposit the late fees @ Rs.100/- per day per student, for a period of 15 days, before the examinations.

Accordingly, keeping in view the above factual aspect and the interests of the students and the fact that they would lose an academic year on account of the technical hitch in deposit of the examination fees late, the present writ petition is disposed of with a direction to the petitioner to deposit the said amount for 28 students by tomorrow, i.e., 12.12.2015 (till 5 p.m.). On the said deposit of the late fees @ Rs.100/- per student per day for 15 days, the respondent-Council shall issue necessary admit cards to the students and permit them to sit in the examinations.

With the abovesaid direction, the present writ petition stands disposed of.

Copy of this order be supplied to counsel for the petitioner under the signatures of Special Secretary of this Court.

DECEMBER 11, 2015
sailesh

(G.S. SANDHAWALIA)
JUDGE