

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

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**CWP No.9692 of 2014**  
**Date of Decision: 08.04.2015**

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Mayank Gupta

. . . .Petitioner

Versus

State of Punjab and others

. . . . Respondents

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**CORAM: HON'BLE MR.JUSTICE RAKESH KUMAR JAIN**

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Present: Mr.Varun Katiyal, Advocate,  
for the petitioner.

Mr.Anant Kataria, AAG, Punjab.

Mr.Manish Dadwal, Advocate,  
for respondent No.2.

Mr.S.S. Saini, Advocate,  
for respondent No.3.

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**RAKESH KUMAR JAIN, J. (ORAL)**

The petitioner has prayed for the issuance of a writ in the nature of certiorari for quashing the orders dated 25.4.2014 and 12.5.2014 and also prayed for a writ in the nature of mandamus directing the respondents not to charge exorbitant registration fee.

In short, the petitioner passed his MBBS examination from the Government Medical College, Patiala by securing more than 50% marks. Respondent No.2 issued the prospectus for the Post Graduate Entrance Test [PGET 2013] for admission to MD/MS/PG Diploma MDS and DM/MCH courses. The fee structure of the privately managed colleges was also notified. The petitioner got

registered in the Non Resident Indian [NRI] quota and got admission in Master of General Surgery in the college of respondent No.3. At the time of registration, the petitioner alleged to have deposited 8250 US \$. He was aggrieved that on 25.4.2014, respondent No.3 has issued a notice to him to pay another 10500 US \$ towards balance of the 15% of the total registration fee to be charged from the NRI candidates.

Learned counsel for the petitioner has argued that there is no justification on the part of the respondents to ask for more than the amount on account of the registration as he was already registered.

In this regard, he has relied upon a decision of this Court in CWP No.16416 of 2010 titled as “**Dr. Harsimranjit Singh Bhatia and others Vs. State of Punjab and others**” decided on 17.11.2012.

In reply, learned counsel for the respondents has argued that the amount of 15% of the total fee towards registration charges are being asked from the petitioner on the basis of letter No.15-BFUHSA1/07/28482 dated 13.12.2007 issued by the University. The said letter has already been upheld by this Court in CWP No.6339 of 2008 titled as “*Dr. Shikha Aggarwal and others Vs. State of Punjab and others*” decided on 23.5.2008 and the similarly situated persons like the petitioner had also challenged the recovery of balance of 15% charges, on the basis of the said letter referred to above, by way of various writ petitions, which were clubbed together and in the lead case i.e. CWP No.6420 of 2011 titled as “*Sukhmani Kaur Brar and others Vs. State of Punjab and others*”, the validity of the said order was upheld vide order dated 12.3.2014 passed by the

Division Bench. The said order dated 12.3.2014 was unsuccessful taken upto the Supreme Court as the SLP was dismissed on 28.3.2014.

Learned counsel for the respondents has thus argued that the matter is no more *res integra* as this issue has already been decided as to whether the respondents could charge balance of 15% of the total registration fee from the petitioner or the students like the petitioner, who have got admission in NRI quota.

Thus, in view of the repeated orders passed by this Court in the case of ***Dr. Shikha Aggarwal and others (Supra)*** and ***Sukhmani Kaur Brar and others (Supra)***, the petitioner does not have any case and the judgment relied upon by him in the case of ***Dr. Harsimranjit Singh Bhatia and others (Supra)*** is not applicable.

In view of the above, I do not find any merit in the present writ petition and the same is hereby dismissed.

**08.04.2015**

*Vivek*

**(RAKESH KUMAR JAIN)**  
**JUDGE**