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HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (C) No. 1815 of 2015**

Prince Agrawal S/o Shri Siddeshwar Agrawal, Aged About 22 Years R/o Village and Post Bhawarpur, Police Station Basna, Tahsil Basna, District Mahasamund, (Chhattisgarh)

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Medical Education Department, Mahanadi Bhawan, Mantralaya, Naya Raipur, (Chhattisgarh)
2. The Secretary, Higher Education Department, Naya Raipur, Post Office & Police Station Naya Raipur, District Raipur, (Chhattisgarh)
3. The Director, Directorate of Medical Education, Old Nurses Hostel, DKS Bhawan Parisar, Raipur, District Raipur, (Chhattisgarh)
4. The Principal Government Ayurvedic College, G.E. Road, Raipur, District Raipur, (Chhattisgarh)
5. Tanya Manthani, Aged About 19 Years Student of MBBS First Year, Government JM College Rajnandgaon, Through The Principal, District Rajnandgaon, (Chhattisgarh)

---- Respondents

For Petitioner	:	Shri Prateek Sharma, Advocate.
For Respondent/State	:	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****28/01/2016**

1. The Petitioner, while pursuing his studies at the Government Ayurvedic College, Raipur, appeared at the Chhattisgarh Pre Medical Test 2015 (CGPMT 2015) for admission in the MBBS course. He was allotted MBBS seat in the Chandulal Chandrakar Private Medical College in the third counselling.

2. Learned Counsel for the Petitioner submits that he did not take admission as he could not afford to pay the fees of a private medical college. Thereafter, the seats at the Raipur Medical College were increased by 50 and 18 seats reverted to the State quota from the All India Pre Medical Test Quota. The authorities therefore decided to hold fresh counselling. According to the requirements, the Petitioner participated and was in possession of necessary documents including willingness to pay the fees immediately as required. This counselling commenced late in the evening and the Petitioner's turn came at about 2:30 in the night. He was denied admission on the ground that his transfer certificate from Ayurvedic Medical College was not available. The Petitioner was not provided reasonable time for production of his transfer certificate despite his request for the same. Denial of admission on that ground was therefore arbitrary as less meritorious candidates were given admission. The Petitioner has lost his admission in the private Medical College also and has not secured admission in any other college which will lead to wastage of one year. It is lastly submitted that till date, one seat is lying vacant in Raipur Medical College of All India Quota and the Petitioner can easily be considered against the same.

3. Learned Additional Advocate General appearing for the State submitted that if the Petitioner was granted admission in the private Medical College but he failed to abide by the formalities, he did so at his own risk. The extraordinary counselling held on which the Petitioner relies was in the peculiar circumstances with regard to the enhancement of seats in Raipur Medical College given at the last hour and the reversion of 18 seats from All India Pre Medical Entrance Test Quota. The Petitioner was given reasonable time to produce the transfer certificate but failed to do so. He lastly submits that in view of the order dated 1.10.2015 of the Supreme Court in I.A. No. 2 - 5/2015 in Writ Petition (Civil) No. 629 of 2015 {Kritika Nigam (Minor) through Legal Guardian v. Union of India}, the last extended date for admission in the MBBS course fixed by the Supreme Court was 7.10.2015. No

admission whatsoever can be granted thereafter. The solitary seat that the Petitioner refers to is covered by an order of the Jammu and Kashmir High Court.

4. We have heard Learned Counsel for the parties and considered the respective submissions.

5. In view of our order dated 15.10.2015 in Writ Petition (C) No. 1793 of 2015 affirmed by the Supreme Court by dismissal of SLP(C) No. 3124 of 2015 dated 20.11.2015, this Court has no jurisdiction to pass any order with regard to admission in the MBBS course for the session 2015-2016 after 7.10.2015. No relief whatsoever can be granted to the Petitioner.

6. The writ petition is dismissed.

Sd/-
(Navin Sinha)
CHIEF JUSTICE

Sd/-
(P. Sam Koshy)
JUDGE