

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1984 of 2016

1. Shikhar Patanwar S/o Shri Vidyasagar Patanwar Aged About 26 Years M. B. B. S. Student C. I. M. S. Bilaspur R/o Kapil Nagar Sarkanda Bilaspur District Bilaspur (Chhattisgarh)
2. Prakhar Patanwar S/o Shri Vidyasagar Patanwar Aged About 24 Years M. B. B. S. Student C. I. M. S. Bilaspur R/o Kapil Nagar Sarkanda Bilaspur District Bilaspur (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Health And Family Welfare Mahanadi Bhavan, Raipur, District Raipur Chhattisgarh.
2. The Director Department Of Medical Education Indrawati Bhawan Raipur District Raipur (Chhattisgarh)
3. The D E A N Chhattisgarh Institute Of Medical Science (C. I. M. S.) Bilaspur District Bilaspur (Chhattisgarh)

---- Respondent

For Petitioner
For Respondent /State

Mr. Anil Mourya, Advocate
Mr. Arun Sao, Dy. AG

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

8/8/2016

1. This petition has been filed by the petitioners seeking refund of tuition fee as per Government circular dated 30.11.1989 on the ground that parents of respective petitioners are green card holders.
2. Learned counsel for the petitioners submits that the issue is no

longer *res integra* in view of orders passed by this Court in WPC No.7162/11 and WPC No.1262/2012 and batch of petitions. It is also submitted that the State had preferred writ appeal which was also dismissed by this Court in WA No.42/2011 and batch of appeals vide order dated 04.4.2014.

3. A perusal of the aforesaid decision clearly shows that the issue with regard to relaxation/exemption in the matter of payment of tuition fee to those students, whose parents are holders of green card have been decided by this Court. The petitioners have placed before this Court, green card issued in respect of parents of the petitioners.
4. In view of the above, the petitioners are also entitled to the same benefit subject to the verification of the green card on the basis of which relief is sought.
5. Accordingly, the petition is allowed with a direction that upon due verification of the green card, the petitioners be also granted the same benefit as has been awarded by this Court in aforementioned petitions.

Sd/-

Judge

(Prashant Kumar Mishra)

Shyna