

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1940 of 2016

1. Ku. Megha Kochar D/o Shri Hemant Kochar, Aged about 19 Years
R/o K-14, Anupam Nagar, P.S. Mowa, Raipur District Raipur
Chhattisgarh

---- Petitioner

Versus

1. State of Chhattisgarh Through its Secretary, Department of Health
and Family Welfare Mahanadi Bhawan, Naya Raipur Chhattisgarh
2. The Registrar of the Chhattisgarh Kamdhenu University, College of
Dairy Science & Food Technology Campus, G.E. Road, Raipur,
District Raipur Chhattisgarh

---- Respondents

For Petitioner – Shri Vinay Pandey, Advocate.

For Respondents – Shri Yashwant Thakur, Deputy Advocate General.

Hon'ble Shri Justice Pritinker Diwaker

Hon'ble Shri Justice Chandra Bhushan Bajpai

Order on Board by Pritinker Diwaker, J.

08/08/2016

1. As per petitioner's case, she appeared in the Pre-medical Test
Entrance Examination, 2016 and secured 673rd position in the merit list.
The petitioner has scored 49.968% in the said entrance examination and
as per averment made in the writ petition she is likely to get admission to
B.V.Sc. course. However, as she has not secured 50% marks, the
respondents are denying her admission to the said course. Further
contention of the petitioner is that father of the petitioner had preferred a
representation (Annexure-P/3), but till date nothing has been done.
2. Counsel for the petitioner submits that at this stage the petitioner may
be permitted to withdraw the writ petition with liberty to file a fresh
representation before the competent authority and in turn the competent

authority may be directed to decide the same sympathetically. He submits that apart from the petitioner, there are other candidates also who had though qualified the entrance examination but have been denied admission as they have scored less than 50% marks in the examination. He submits that various seats in the B.V.Sc. course will go waste and therefore, direction may be issued to the competent authority to consider the representation sympathetically and grant admission to the petitioner and other similarly placed candidates.

3. Counsel appearing for the respondents submits that relaxation can only be granted by the Board and till date the matter has not reached to the Board. He submits that in the eventuality of filing fresh representation by the petitioner, the same would go before the council and thereafter to the Board and then appropriate orders would be passed in accordance with law.

4. Since the petitioner wants to withdraw this petition with liberty to file representation before the competent authority, the petition is accordingly dismissed as withdrawn with the aforesaid liberty.

5. Needless to say that if any representation is filed by the petitioner, the same may be considered by the competent authority in accordance with law expeditiously considering the fact that the matter relates to admission to medical course, which is going to start soon.

6. It is made clear that this Court has not expressed any opinion on merits of the case and the competent authority is at liberty to act strictly in accordance with law.

Sd/-

(Pritinker Diwaker)
Judge

Sd/-

(Chandra Bhushan Bajpai)
Judge