

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

**CWP No.15472 of 2016
Decided on :16.12.2016**

Shivani Yadav

... Petitioner

Versus

Punjab University, Chandigarh and others

... Respondents

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

Present : Mr. Deepak Thapar, Advocate for the petitioner.

Mr. Suvir Sidhu, Advocate for respondents No.1 and 2.

Mr. Manpreet Singh Longia, Advocate
for respondent No.3-DCI.

G.S. Sandhawalia, J. (Oral)

The petitioner seeks direction to fill up the left out vacant seats of MDS in the respondent No.2-institute on the ground that though she did not obtain minimum marks in the entrance examination of AIPGDEE-2016, the Government of Punjab had decided to fill up the vacant seats on the basis of cumulative performance of the qualifying examination, namely, BDS. Thus, this Court was, accordingly, approached on 01.08.2016.

The stand taken by the respondent-University in its reply is that the minimum marks have been prescribed as per the revised MDS Course Regulations-2007 by the Dental Council of India.

Respondent No.3-Dental Council of India in its reply has taken the stand that the last date for admission in the MDS Course for the academic session 2016-2017 was 31.05.2016 and, accordingly, placed reliance upon the judgment of the Apex Court in '*Mridul Dhar Vs. Union of India and others 2005 (2) SCC 65.*

Accordingly, counsels for the respondents have submitted that even if the matter is to be decided on merits, no relief can be granted to the petitioner, at this stage, keeping in view the fact that cut-off-date has gone expired and the petitioner has herself approached this Court after the cut-off-date.

In such circumstances, the necessary academic exercise need not to be carried out, keeping in view the observations of the Apex Court that the admission cannot be made after the cut-off-date and in view of the judgment of the Apex Court in '*Chandigarh Administration and another Vs. Jasmine Kaur and others*' AIR 2015 SC 34 that the seats cannot be carried forward.

Accordingly, no relief can be granted to the petitioner and the present writ petition is dismissed.

DECEMBER 16, 2016
Naveen

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned:

Yes

Whether Reportable:

No