

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

**1. Civil Writ Petition No.16974 of 2016
Date of decision: 10.11.2016**

Arya Bhatt, MPHWS (Male) Training School **...Petitioner**

Versus

State of Haryana and others **...Respondents**

2. Civil Writ Petition No.20780 of 2016

Maharishi Dayanand MPHWS (Male) Training School **...Petitioner**

Versus

State of Haryana and another **...Respondents**

3. Civil Writ Petition No.20792 of 2016

Rachna MPHWS (Male) Training School **...Petitioner**

Versus

State of Haryana and another **...Respondents**

4. Civil Writ Petition No.20796 of 2016

Florence Institute of MPHWS (Male) **...Petitioner**

Versus

State of Haryana and another **...Respondents**

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

Present: Mr. Amit Rana, Advocate for
Mr. Sanjiv Gupta, Advocate for the petitioner
(in CWP No.16974-2016).

Mr. Anil Ghanghas, Advocate for the petitioner(s)
(in CWP Nos.20780, 20792 and 20796 of 2016).

Mr. Rohit Arya, Assistant Advocate General, Haryana.

G.S.SANDHAWALIA, J. (Oral)

This order shall dispose of Civil Writ Petition Nos.16974,

20780, 20792 and 20796 of 2016 as common questions of fact and law are involved in these petitions. However, for dictating this order, the facts have been taken from Civil Writ Petition No.16974 of 2016.

Prayer made in the writ petition is for issuance of direction to the respondents to include the name of the petitioner in the list of eligible institutions for admissions to MPHWS (Male) course for the sessions 2016-17.

The relief claimed was on the basis of letter of permission (LOP) which had already been granted in terms of policy dated 17.7.2014 (Annexure P/1). It is to be noticed that in an earlier round of litigation in Civil Writ Petition No.16723 of 2015-Florence Institute of MPHWS (Male) and others Vs. State of Haryana and others direction had been issued on 26.8.2015 (Annexure P/8) that respondent no.2 would pass necessary orders after inspection as to whether the infrastructure or the faculty were deficient or not. The exercise was to be completed by 28.9.2015 after giving opportunity of hearing as such in cases where there was to be a rejection order. The issues were also referred to the State Vigilance Bureau and accordingly no action was taken on the direction issued by the Court. Resultantly, this Court was approached that the compliance of the said order had not been made in spite of period of one year having been expired.

Mr. Dusmanta Kumar Behra, Director, Medical Education and Research Department, Haryana had put in appearance on 20.10.2016 and explained that on account of matter being referred to the Vigilance Bureau, orders could not be complied with. An assurance had been given that action would be taken and even fresh inspection had been ordered. It had also been assured that issue of last date of admission would also be redressed as

petitioners were facing difficulties in making fresh admissions.

Thereafter, affidavit dated 3.11.2016 had been filed wherein it had been deposed that petitioners had been asked to put in appearance so that deficiencies mentioned in the inspection reports could be got rectified. It has also been averred that last date for admissions had been extended to 11.11.2016.

Counsels for the petitioners now submit that necessary permission had been granted in pursuance of the undertaking given before this Court and the present petitions have accordingly been rendered infructuous. It is further submitted that last date for admissions has only been extended till tomorrow i.e. 11.11.2016.

Counsel for the State on instructions from Mr. Dusmanta Kumar Behra, Director, Medical Education and Research Department, Haryana submits that last date for admissions would be further extended till 30.11.2016 and an advertisement would be issued regarding this aspect in the leading newspapers.

In view of the above assurance, all the four writ petitions are accordingly disposed of with the understanding that the State will abide by the assurance given.

November 10, 2016
Pka

(G.S.SANDHAWALIA)
Judge

Whether speaking/reasoned

Yes/No

Whether reportable:

Yes/No