

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

CWP No. 21385 of 2015 (O&M)

Date of decision : 7.1.2016

Dr. Jasleen Kaur and others	...	Petitioners
	VS	
Medical Council of India and others	...	Respondents

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: Mr. O. P. Goyal, Senior Advocate with
 Mr. Mukesh Verma, Advocate,
 Mr. Harkesh Manuja, Advocate, for the petitioners.

 Mr. Gurminder Singh, Senior Advocate with
 Ms. Shivangi Sharma, Advocate, for Medical Council of India.

 Mr. Manish Dadwal, Advocate, for respondent nos. 2 to 4.

 Mr. Bhriugu Dutt Sharma, Advocate, for respondent no.5
 in CWP No. 21385 of 2015.

 Mr. S. S. Saini, Advocate, for respondent no.8
 in CWP No. 21385 of 2015.

Rajesh Bindal, J.

 This order will dispose of two writ petitions bearing CWP Nos. 21385 and 22127 of 2015, as common questions of facts and law are involved.

 The petitioners herein, who appeared in the examination for Post Graduation Courses such as Magister Chirurgiae (M.Ch.), Master of Surgery (M.S.), Doctor of Medicine (M.D.) and Diploma in Clinical Disciplines, conducted by the Baba Farid University of Health Sciences, Faridkot, have approached this Court with a grievance that they have been declared failed.

 The grounds for challenge in the petitions is that theory papers were evaluated by the examiners, who were not eligible and secondly that requisite number of examiners (internal and external) did not evaluate the theory papers in terms of the Post Graduate Medical Education Regulation, 2000, framed by the Medical Council of India.

This fact regarding eligibility is not disputed by learned counsel for the University.

As per the Regulations, a minimum of four examiners are required for Post Graduate Examination, out of which at least two have to be internal examiners and two have to be nominated from other recognised universities situated outside the State.

After the arguments were heard in detail, learned counsel for the university very fairly, on instructions from the Vice-Chancellor of Baba Farid University of Health Sciences, submitted that the University will get the answer-sheets of all the candidates, who failed only in theory examination, evaluated by appointing two examiners from any recognised university outside the State of Punjab and two from the respective institutes, who meet the eligibility criteria as per the Regulations. The needful shall be done within a period of two weeks and the final result shall be declared within one week thereafter.

In view of the fair stand taken by learned counsel for Baba Farid University of Health Sciences, learned counsel for the petitioners submitted that the writ petitions may be disposed of in terms thereof.

Ordered accordingly.

7.1.2016
vs

(Rajesh Bindal)
Judge