

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

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CWP No.21111 of 2016

Date of Decision: October 12, 2016

JYOTI AND ORS

-PETITIONERS

VS

**PT. B.D. SHARMA UNIVERSITY OF HEALTH SCIENCES AND
ORS**

-RESPONDENTS

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr.R.K.Malik, Sr.Advocate with
Mr.Jagjeet Beniwal, Advocate
for the petitioners.

Mr. Ramesh Hooda, Advocate
for respondents No.1 and 2.

Mr. Gurdas Singh Sarwara, DAG, Haryana.

RAJ MOHAN SINGH, J. (ORAL)

Petitioners seek issuance of appropriate writ, order or direction, especially in the nature of certiorari for quashing the action of respondents No.1 to 4 in not issuing registration number to the petitioners for their examinations in first year of ANM/GNM. Petitioners No.1 to 27 are the candidates for first year examination of ANM course which is to commence w.e.f. 14.10.2016. Petitioners No.28 to 52 are the candidates for first year examination of GNM course which is to start w.e.f. 20.10.2016.

On 06.10.2016, this Court passed the following

order:-

“Counsel inter alia submits that petitioners no.1 to 27 were granted admission in respondent no.5-institute in the ANM 1st year and petitioner nos.28 to 52 were granted admission in the GNM 1st year for the session 2014-15. The list of the students was forwarded on 13.09.2014 (Annexure P-5) to respondent no.4. The petitioners had been attending the classes. Thereafter on 29.04.2016 (Annexure P-6), the examination forms were forwarded by the respondent-institute to the Principal, State Health and Family Welfare Training Center, Rohtak. The said institute, vide communication dated 08.08.2016 (Annexure P-8), requested respondent no.4 that admit cards were being denied to the students by respondent-university no.1 vide letter dated 26.07.2016 and accordingly requested for allotment of registration numbers. It is accordingly submitted that examinations are to commence from 14.10.2016 and reference is made to the

date sheet (Annexure P-7).

Notice of motion.

Mr. Ramesh Hooda, Advocate accepts notice on behalf of respondents no.1 and 2 and Mr. Gaurav Jindal, Addl. AG, Haryana accepts notice on behalf of respondents no.3 and 4 and pray for time. Requisite number of copies of the writ petition have been handed over to them in Court. Respondent no.5 be served by way of dasti process.

Adjourned to 07.10.2016.”

Pursuant to that order, learned counsel for the respondents sought time on 07.10.2016. On the said date, the following order was passed by this Court:-

“Senior counsel for the petitioners has placed on record a photocopy of letter dated 26.07.2016 which finds mention in Annexure P/8. A perusal of the same would go one to show that examination forms of 112 examinees were returned along with demand draft.

State counsel prays for time to seek instructions as to what lacuna was there in the

examination forms of the petitioners as it is claimed that they have been studying since 2014, and therefore, they are entitled to appear in the examination of 1st year of ANM/GNM, which are stated to be commencing on 14.10.2016.

Adjourned to 12.10.2016”.

Today, Mr. Gurdas Singh Sarwara, DAG, Haryana has tendered memo dated 10.10.2016 issued by Director, Medical Education Research, Haryana, Panchkula, intimating the Chairman, Shri Ram Krishan param Hans Siksha Parishad, Mohindergarh (where the petitioners are studying), with a copy to Controller of Examinations and others informing that one time relaxation has been granted to 27 students of ANM course and 24 students of GNM course admitted by Shri Ram School of Nursing, Digrota, Mohindergarh for the session 2014-15. The students have been permitted to take examinations commencing w.e.f. 16.10.2016 (though wrongly mentioned as per date sheet supplied by learned counsel for the petitioners).

Mr. Gurdas Singh Sarwara, DAG, Haryana on instructions from official Mr. Rajesh Kumar submits that necessary correction shall be made in the record with regard to actual date of commencement of the examination.

In view of the aforesaid memorandum, respondents No.3 and 4 have taken conscious decision to accommodate the petitioners by according them permission to appear in ANM/GNM examination of first year in Shri Ram School of Nursing, Digrota, Mohindergarh.

Learned State counsel further submits that needful shall be done forthwith keeping in view the date of examination.

Mr. Ramesh Hooda, Advocate, for respondents No.1 and 2 also states that the respondents shall do the needful at the earliest on receipt of necessary registration number from respondents No.3 and 4.

In view of aforesaid, this writ petition is disposed of with a direction to respondents No.3 and 4 to comply with one time relaxation/permission accorded to the petitioners in taking first year examination of ANM/GNM course in Shri Ram School of Nursing, Digrota, Mohindergarh for the session 2014-15 forthwith. On receipt of such registration by respondents No.3 and 4, respondents No.1 and 2 in their turn shall do the needful in terms of issuing required roll numbers to the petitioners.

Let necessary compliance be done by the respondents positively by tomorrow, keeping in view the date of commencement of examination w.e.f. 14.10.2016.

Learned counsel for the respondents are *ad idem*

that necessary consequences shall follow before the date of holding of examination.

Disposed of.

A copy of this order be supplied to learned counsel for the parties under signatures of the Bench Secretary.

**(RAJ MOHAN SINGH)
JUDGE**

October 12, 2016
jyoti Y.

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>