

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

LPA No.1242 of 2016
Date of Decision: 12.12.2016

Sardar Ajmer Singh Charitable Foundation ... Petitioner

VS.

State of Punjab and another ... Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT
HON'BLE MR.JUSTICE SUDIP AHLUWALIA

1. Whether speaking/reasoned?	Yes
2. Whether reportable?	No
3. Whether Reporters of local papers may be allowed to see the judgment?	Yes / No
4. To be referred to the Reporters or not?	Yes / No
5. Whether the judgment should be reported in the Digest?	Yes / No

Present: Ms. Rosi, Advocate for
Mr. Nitin Kant Setia, Advocate for the appellant

Ms. Reeta Kohli, Addl. AG Punjab with
Mr. Hanspal S Virk, AAG Punjab

SURYA KANT, J. (Oral)

(1) The controversy in this case pertains to the eligibility of students of the appellant-Institute for the purpose of regularization of their admission and consequential permission to appear in the examination conducted by Punjab Nurses Registration Council. It may be noticed that the Council declined to recognize admissions made by the appellant-Institute on the ground that the admission forms were not uploaded by the Institute on the given website within the stipulated period.

(2) Having regard to the nature of controversy, we directed the Council on 24.10.2016 to hold a fact-finding enquiry into the question whether the appellant-Institute had admitted the students before the cut-off date i.e. 31.10.2015.

(3) The Council held the enquiry in which it has been found that the students were actually admitted well before the cut-off date. Since the

students are being deprived to appear in the examination and their career was likely to be jeopardized due to the mistake or inaction of the Institute, this Court vide order dated 03.11.2016 directed the Council to allow the students to appear in the examination provisionally on payment of penalty of ₹ 2,00,000/- by the appellant-Institute.

(4) Learned counsel for the appellant states that the order has been complied with. The penalty of ₹ 2,00,000/- has been paid by the Institute whereupon its students have been admitted and were allowed to appear in the examination.

(5) In the light of the above-stated facts, we allow this appeal in part; set aside the order of the learned Single Judge and dispose of the appellant's writ petition with a direction to the Council to regularize the admissions which have been found to have been genuinely made before 31.10.2015. The result of such students shall also be declared along with others.

(6) The appeal stands disposed of in above terms.

(Surya Kant)
Judge

12.12.2016
vishal shonkar

(Sudip Ahluwalia)
Judge