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HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 687 of 2017

Dr. Shraddha Verma D/o Shri Nemraj Verma Aged About 27 Years R/o Qtr No. 5-A, Street No. 37, Sector-V, Bhilai Nagar, District- Durg, Chhattisgarh Mob No. 9926120609

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Health And Family Welfare, New Mantralaya, Mahanadi Bhawan, New Raipur, Chhattisgarh
2. Director Of Medical Education, Old Nurses Hostel, DKS Bhawan Premises, Raipur, Chhattisgarh
3. Dean, Pt Jawaharlal Nehru Medical College, Raipur, Chhattisgarh

---- Respondents

And

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 689 of 2017

Deepika Pandey D/o Shri Sunil Kumar Pandey, Aged About 23 Years R/o 25/2134, Kapa Lodhipara, New New Ganj Mandi, Raipur District Raipur (Chhattisgarh).

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Health And Family Welfare, New Mantralaya, Mahanadi Bhawan, New Raipur (Chhattisgarh).
2. Director Of Medical Education, Old Nurses Hostel, D K S Bhawan Primises, Raipur (Chhattisgarh).
3. Dean, Pt. Jawaharlal Nehru Medical College, Raipur (Chhattisgarh).

---- Respondents

For Petitioners	:	Smt. Madhunisha Singh, Advocate
For State	:	Shri R.K. Gupta, Dy.A.G

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

23/03/2017

1. WPC No. 687 of 2017 and WPC No.689 of 2017 are being decided by this common order as in both the petitions, the petitioners have prayed for a direction to respondent-authority to refund the tuition fee paid by the petitioners, in the light of Circular dated 30.11.1989, in view of the fact that mothers of the petitioners are a green card holder and, therefore, they are entitled to exemption from payment of fee.
2. Learned counsel for the petitioners submits that this issue is no longer res-integra and authoritatively decided by this Court in number of cases one of them being WPC No.28 of 2017 relying upon earlier order passed in WPC No.7162 of 2011 and batch of petitions. It is also submitted that on writ appeal being preferred, the order has been affirmed and SLP has also been dismissed.
3. Learned counsel for the State could not dispute the legal position. He, however, submits that the matter would require examination and verification of facts.
4. In view of the above, these petitions are finally disposed off with a direction to respondents to examine the case of the petitioners for grant of exemption from payment of fee and consequent refund in view of orders passed earlier by this Court in aforementioned cases and take appropriate decision within an outer limit of three months from the date of receipt of copy of this order. If upon verification, the petitioners are found entitled to same relief, the fee already paid by the petitioners shall be refunded to them.

Sd/-
(Manindra Mohan Shrivastava)
Judge