

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (C) No. 1607 of 2016**

1. Ekta Gidwani daughter of S.K.Gidwani, aged about 27 years, resident of Kanti Nagar, Bilaspur, Police Station Tarbahar, Tehsil and District Bilaspur, Chhattisgarh.
2. Shweta Bhakru, daughter of Arjun Bhakru, aged about 33 years, resident of Anand Nagar, Raipur, District Raipur, Chhattisgarh.

---- Petitioners**Versus**

1. State of Chhattisgarh, Through Department of Health and Family Welfare, Mantralaya, DKS Bhawan, New Raipur, District Raipur, Chhattisgarh.
2. Pt. Jawaharlal Nehru Memorial Medical College, Raipur, District Raipur, Chhattisgarh, Through its Dean, Raipur, District Raipur, Chhattisgarh.
3. Directorate General of Health and Services (Medical Examination Cell) Government of India, Nirman Bhawan, New Delhi.

---- Respondents

For Petitioner	: Shri Sunil Otvani, Advocate.
For Respondent/State	: Shri J.K.Gilda, Advocate General with Shri A.S.Kachhwaha, Additional Advocate General.
For Respondent/UoI	: Shri Narendra Kumar Vyas, Assistant Solicitor General.

Hon'ble Shri Thottathil B. Radhakrishnan, Chief Justice
Hon'ble Shri Pritinker Diwaker, J.

Judgment on Board**Per Thottathil B. Radhakrishnan, Chief Justice****23/03/2017**

1. We have heard the learned counsel for the Petitioners who has taken as threadbare through the entire pleadings and materials.

2. We have also heard the learned Assistant Solicitor General who points out that the issue is no more *re integra* in view of the pronouncement made by the Hon'ble Supreme Court of India on 21.03.2017 in Civil Appeal No. 11974 of 2016. We have also heard the learned Advocate General for the State of Chhattisgarh.
3. In terms of order on IA No. 15 of 2012 in Civil Appeal No. 1944 of 1993, the Hon'ble Supreme Court of India stated that the cut-off date of admission to post graduate medical/dental seats was 30.05.2015 and no admission/transfer of seat from diploma to degree beyond 30.05.2015 is/was permissible in terms of those directions. The fact of the matter remains that the Petitioners who are undergoing diploma course were granted transfer of seat to degree course. That exercise was carried, admittedly, after 30.05.2015, the cut-off date.
4. With the passage of time through the judgment noted above (Civil Appeal No. 11974 of 2016, dated 21.03.2017) it is affirmed that there can be no change in the said cut-off date and the effect of the said judgment and the earlier orders is that there will be no admission/transfer of seats from degree to diploma beyond 30.05.2015.
5. In the aforesaid view of the matter, we do not find our way to come to the aid of the Petitioners and interfere with the decision impugned. This writ petition therefore fails.
6. In the result, this writ petition is dismissed.

Sd/-

(Thottathil B. Radhakrishnan)
CHIEF JUSTICE

Sd/-

(Pritinker Diwaker)
JUDGE