

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

381

CWP-12282-2015
Decided on : 15.09.2017

RANCHANA GARG

....PETITIONER

VS

STATE OF PUNJAB AND OTHERS

....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. Arihant Jain, Advocate
for the petitioner.

Mr. H.S.Sitta, AAG, Punjab.

Ms. Nitika Bansal, Advocate for
Mr. Nitin Kaushal, Advocate
for respondent No.3.

Mr. M.K.Singla, Advocate
for respondent No.4.

AJAY TEWARI, J.(Oral)

By this petition the petitioner has challenged the order whereby her admission was cancelled on the ground that it was not made as per the merit obtained in the entrance examination but as per merit obtained in the BDS examination.

Counsel for the petitioner has relied upon the judgment dated 7.4.2016 passed in LPA No. 1698-2015 titled as The Punjab Pvt. Self Financed Dental and Medical Colleges Association vs. State of Punjab etc. wherein this Court had considered these very instructions and held that in a situation where after considering all those who have taken part in the entrance

test, seats are lying vacant, the colleges concerned would be at liberty to fill up the same as per merit obtained in the BDS examination. It is not disputed that in terms of this decision the admission of the petitioner is valid. It is also not disputed that when the petition came up for hearing an interim order was passed under which the petitioner was allowed to continue to the course and she has now undergone for more than 2 ½ years of the course.

In this view of the matter, the petition is allowed and the cancellation of the admission of the petitioner is set aside.

Since the main case has been decided, the pending civil miscellaneous application, if any, also stands disposed of.

15.09.2017
anuradha

(AJAY TEWARI)
JUDGE

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Whether speaking/reasoned	-	Yes/No
Whether reportable	-	Yes/No