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HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 3031 of 2017**

Veethika Jha D/o Shri Pawan Kumar Jha, Aged About 26 Years R/o Shivanand Nagar, Sector 3, Near Vinayak Garden, Raipur, Chhattisgarh.

---- Petitioner**Versus**

1. Union Of India Ministry Of Health And Family Welfare (Department Of Health D E Section) Nirman Bhawan, Maulana Azad Road, New Delhi 110108 Through Secretary.
2. Dental Council Of India, Aiwan-E-Galib Marg, Kotla Road, New Delhi 110002 Through Secretary.
3. The Additional Chief Secretary, Department Of Health And Family Welfare, Government Of Chhattisgarh, R.N.S 4-04, Mahanadi Bhawan, Mantralaya New Raipur, Chhattisgarh.
4. The Director, Directorate Of Medical Education, Old Nurses Hostel, D.K.S. Bhavan Parisar, Raipur, Chhattisgarh.
5. The Registrar, Chhattisgarh Ayush And Health Sciences University, Raipur, Chhattisgarh 492001.
6. The Principal, Maitri College Of Dentistry And Research Centre, G.E. Road, Anjora, Durg, Chhattisgarh, Pin 491001.

---- Respondents

For Petitioner	: Shri Y.C. Sharma, Advocate.
For Respondents No.1 & 2	: Shri B. Gopa Kumar, Assistant Solicitor General.
For Respondent/State	: Shri Prasun Bhaduri, Government Advocate.
For Respondent No.6	: Shri Vaibhav Singh, Advocate.

Hon'ble Shri Ajay Kumar Tripathi, Chief Justice**Hon'ble Shri Parth Prateem Sahu, Judge****Order on Board****12/11/2018****Per Ajay Kumar Tripathi, Chief Justice**

1. Heard counsel for the parties.
2. Writ application was filed by the Petitioner when her admission in the MDS course for the academic session 2016-2017 was ordered to be cancelled and the college authorities were asked to discharge the Petitioner on the basis of communication issued by the Dental Council of India dated 12.10.2017.

3. Annexure P/1 is the communication of Dental Council of India addressed to the Principal, Maitri College of Dentistry and Reserach Centre, G.E. Road, Anjora, Durg.
4. The reason which emerges from the said communication is that the present Petitioner did not have minimum 50% cut-off marks in the common entrance test examination.
5. The Court directed the Dental Council of India to file a return keeping in mind what had been urged and pleaded by the counsel for the Petitioner that the evaluation for the said entrance test was done out of 80 marks and not 100 marks. She had secured 44 marks out of 80, which is more than 50% marks mandated in terms of the regulation.
6. The stand of the Petitioner is supported by the stand taken by the college and now the Dental Council of India has issued another communication dated 17.04.2018, which is produced before the Court where authorities have been asked to make a verification or confirmation of the list of students admitted in the MDS course in Maitri College of Dentistry and Research Centre at Durg.
7. Since there is no other rebuttal of the position as to the fact that the evaluation so far as the entrance test in relation to admission in question was done out of 80 marks, the impugned order or communication dated 12.10.2017 (Annexure P/1) stands quashed. The Petitioner would be allowed to continue with the course in the college in question.
8. Writ is allowed in terms of the above.

Sd/-

(Ajay Kumar Tripathi)
CHIEF JUSTICE

Sd/-

(Parth Prateem Sahu)
JUDGE