

CWP no. 17976 of 2017 (O&M) 1

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP no. 17976 of 2017 (O&M)

Date of Decision : 13.09.2018

Vipsa and others

....Petitioner(s)

Versus

State of Punjab and others

...Respondent(s)

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER
HON'BLE MR JUSTICE MAHABIR SINGH SINDHU

Present : Mr. D.S.Patwalia, Sr. Advocate with
Mr. Gaurav Rana, Advocate for the petitioner(s)

Mr. Suveer Sheokand, Addl. AG, Punjab

Mr. K.S.Sandhu, Advocate for respondent no.3

Mr.Deepankur Wadhwa, Advocate for respondent no.8

Mr. Rajesh Sethi and
Mr. Arun Biriwal, Advocates for respondents no. 12, 15 &17

Mr. R.S.Chahal, Advocate for respondents no. 19, 32 & 33

Mr. M.S.Saini, Advocate for respondent no.20

MAHESH GROVER, J.(ORAL)

After going through the petition, we are of the opinion that the issue raised in the instant petition is squarely covered by the ratio of our decision rendered in CWP no. 18240 of 2018 titled as '**Ashu Hooda vs. Union Territory, Chandigarh and others**' decided on 31.8.2018.

Hence, instant petition is disposed of in same terms as in CWP no.18240 of 2018 titled as '**Ashu Hooda vs. Union Territory, Chandigarh and others**' decided on 31.8.2018.

During the pendency of the instant petition, this Court on 28.9.2017 had passed the following interim orders:-

“The controversy pertains to the eligibility of the private respondents to seek admission in MBBS course against the seats reserved for 'State Quota', namely, bona fide residents of State of Punjab. There can be no quarrel that the status as 'resident of Punjab State' is required to be determined in accordance with the Government Policy dated 6.6.1996 read with Circular dated 1.1.1999 and the Government Notification dated 2.6.2017. Unfortunately, no reply has been filed by State of Punjab. Since the eligibility is required to be determined as per the criteria prescribed by the Government, we direct the Director, Research and Medical Education, Punjab to determine the eligibility of respondent Nos. 10 to 35 after calling their relevant records from Baba Farid University and after associating the respondents as well as the petitioners or other concerned Department. Let the report of such determination be submitted to the Court on the next date of hearing. It is made clear that expiry of last date for admission, i.e 30.9.2017 shall have no bearing on the reshuffling of the candidates, if any, need arises in future.

List on 5.12.2017.”

As a consequence of implementation of our orders, if some re-

shuffling is to be done, it be done in a manner which causes minimum

inconvenience by taking into account the interest of the students who have been studying for last one year. It is also directed that before re-shuffling every candidate should be given an opportunity of hearing to explain his/her entitlement.

(Mahesh Grover)
Judge

13.09.2018
rekha
Whether speaking/reasoned
Whether reportable

(Mahabir Singh Sindhu)
Judge
Yes/No
Yes/No