

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.18858 of 2018
Date of Decision:01.08.2018

Shamsher Singh

..... Petitioner

Vs.

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR.JUSTICE RAKESH KUMAR JAIN

Present: - Mr.M.D. Khan, Advocate,
for the petitioner.

RAKESH KUMAR JAIN, J. (ORAL)

The petitioner has prayed for the issuance of a writ in the nature of mandamus for seeking a direction to respondent No.3 i.e. Baba Farid University of Health Science, Faridkot and respondent No.4 i.e. Adesh Medical University, Bhatinda, Punjab to decide his representations dated 02.01.2018 and 03.01.2018 respectively, to not to charge fee from him being a poor student.

In brief, the petitioner got admission in the M.B.B.S. course in management quota in Chintpurni Medical College, Pathankot in session 2016-17. He paid ₹6,63,000/- towards fee. Since Chintpurni Medical College, Pathankot was closed, therefore, the petitioner was shifted to respondent No.4 i.e. Adesh Medical University, Bhatinda, Punjab. He has averred that he has been asked to pay the fee for sessions 2017-18 and 2018-19 but being a poor person, belonging to a Scheduled Caste, he is unable to pay the fee, therefore, made the representations. The only prayer made in this petition is for deciding the representations.

I have heard learned counsel for the petitioner and perused the record. As it is well settled that for the purpose of seeking a mandamus, the petitioner has to show that he has a legal right and the respondent has a corresponding legal duty but in the present case, the petitioner has failed either to show that he has a legal right to seek waiver of his fee and also the corresponding legal duty of the respondents to accept his prayer. As a matter of fact, the writ petition is filed without referring to any provision of law which may support the case of the petitioner or on the basis of which the Court can persuade the respondents.

Thus I am of the considered opinion that these type of petitions do not even deserve to be entertained and hence, the same is hereby dismissed on the ground of being devoid of any merit.

01.08.2018

Vivek

(RAKESH KUMAR JAIN)
JUDGE

Whether speaking /reasoned : *Yes/No*

Whether Reportable : *Yes/No*