

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CWP-27396-2018 (O&M)
Date of Decision:14.11.2018**

Dr. Ekta & others

... Petitioners

Versus

State of Punjab & others

... Respondents

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Mohinder Kumar, Advocate for the petitioners.

Mr. TPS Chawla, DAG, Punjab.

Mr. Nitin Kaushal, Advocate for respondents No.2 and 4.

...

TEJINDER SINGH DHINDSA, J. (ORAL)

Instant petition has been filed seeking quashing of result of the petitioners declared on 30.06.2018 and 06.07.2018 by the respondent/ Baba Farid University of Health Sciences pertaining to MS (General Surgery) qua petitioners No.1 and 2 and MD (Dermatology, Venereology and Leprosy) qua petitioner No.3.

Case of the petitioners is that the result has been compiled/ prepared in pursuance to e-checking process/evaluation of the answer sheets and the same is in violation of the procedure prescribed by the Post Graduate Medical Education Rules, 2000 (Annexure P-1).

During the course of arguments, counsel for the parties are agreed that identical challenge had been laid in **CWP-20401-2018 (Dr. Simi Samuel & others Vs. State of Punjab & others)** and which had

been disposed of on 11.10.2018 in the following terms:

“Learned counsel for the petitioner has fairly submitted that at this stage his only concern is for rechecking of the answer sheets manually in order to allay his fear that the evaluation may not have been proper. As regards system of e-evaluation adopted by the University, he submits that same can be gone into in other appropriate proceedings.

As the limited question before this court is regarding rechecking of the papers of the petitioner who have appeared in the examination for admission to post-graduate medical examination, this court feels that ends of justice would be met if answer sheets of the petitioner are rechecked.

It will be ensured by the Vice Chancellor of the University that papers are thoroughly checked preferably manually, alternatively by method of e-evaluation.

It appears that manual process was adopted in two other cases i.e. CWP No. 21673 of 2017 titled as Dr. Vikas Kumar vs. State of Punjab decided on 13.12.2017 and CWP No. 4423 of 2018 titled as Dr. Jasvir Singh vs. Baba Farid University of Health Sciences and ors. decided on 19.03.2018.

This order shall, however, be not treated as precedent as same is being passed in view of urgency involved as the next batch of MD/MS course is to start.”

Mr. Nitin Kaushal, learned counsel representing respondents No.2 to 4 very fairly concedes that the instant petition may also be disposed of in the same terms.

In view of the above, the instant writ petition is disposed of in terms of order dated 11.10.2018 passed in CWP-20401-2018.

It is, however, clarified that this Court has not dealt with any

of the prayers raised in the petition on merits.

Pending applications, if any, shall also stand disposed of.

14.11.2018

harjeet

(TEJINDER SINGH DHINDSA)
JUDGE

- i)

Whether speaking/reasoned?

Yes/No
- ii)

Whether reportable?

Yes/No