

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 1486 of 2019**

- Dr. Hemshikha Tambrey D/o Shry Jay Shankar Tambrey Aged About 23 Years R/o R-3/12, Rama Valley, Raipur Road, Bodri, Bilaspur, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Health And Family Welfare, Mahanadi Bhawan, New Manralaya, New Raipur, District- Raipur, Chhattisgarh
2. The Director Medical Education, New Raipur, Chhattisgarh.
3. Dr. Vaishali Vinod Ramteke D/o Dr. Vinod Ramteke, R/o D-II/89, Kaka Nagar, New Delhi.-03
4. Medical Council Of India Through Secretary, Pocket 14, Sector 8, Dwarka Phase-1, New Delhi.- 110077

---- Respondent

For Petitioner	Mr. Manoj Paranjpe, Advocate
For Respondent /State	Mrs. Fouzia Mirza, Additional Advocate General
For Respondent No.4	Mrs. Anubhuti Marhas, Advocate

DB.:Hon'ble Mr. Prashant Kumar Mishra, Ag. C.J. &**Hon'ble Mr. Parth Prateem Sahu, J.****Order On Board By****Prashant Kumar Mishra, Ag. CJ**

24/4/2019

1. Heard.
2. Learned counsel for the petitioner would submit that respondent No.3 has been permitted to participate in the counselling in the State quota seats reserved for SC candidates even though the said respondent has not done her MBBS course from any Medical College within the State of Chhattisgarh nor she is a resident of the State of Chhattisgarh and further that she has already been offered a seat in the State quota seats at Delhi.
3. Learned Additional Advocate General for the State would submit that the petitioner has an internal remedy under Clause 12 of the *Chhattisgarh Chikitsa Snatkottar Pravesh Niyam, 2018* (in short "the *Niyam, 2018*"), therefore, the petitioner should have availed the said remedy. She would also submit that the petitioner has already preferred a representation before the DME on 16/4/2019 vide Annexure P/10.
4. In view of the fact that the petitioner has already preferred a representation, let the DME treat the representation as one under clause 12 of the *Niyam, 2018* and decide the same within a week from the date the petitioner presents the certified copy of this order along with copy of the representation, already filed by her, together with any other document which she desires to

rely, before the DME.

5. It is expected that the DME shall decide the representation before offering any PG seat to respondent No.3.
6. The writ petition is disposed of.

Sd/-

(Prashant Kumar Mishra)
Acting Chief Justice

Sd/-

(Parth Prateem Sahu)
Judge

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