

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 1714 of 2019**

Sadhna Tirkey D/o Shri Joyel Tirkey Aged About 31 Years R/o Behind St. Xaviers School, Ward No. 9, Street 7-A, Kripal Nagar, Kohka, Bhilai, P.O. Supela, District-Durg, Chhattisgarh, Pin- 4900023

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Its Secretary, Department Of Medical Education, Mantralaya, Mahanadi Bhawan, Atal Nagar, Raipur, Chhattisgarh
2. Director, Office Of Directorate, Medical Education Chhattisgarh, Near Old Nurses Hostel, DKS Bhawan, Campus, Raipur, Chhattisgarh
3. Counseling Committee, Through Its Chairman, Counseling Committee, Directorate, Medical Education, Raipur, Chhattisgarh
4. Government Dental College, Raipur, Through Its Dean, Government Dental College, Raipur, Chhattisgarh
5. Sandeep Korety, S/o Sukhdev Korety, R/o Siddhi Multispecialty Dental Clinic, Near Bus Stand Dalli Rajhara, District Balod, Chhattisgarh

---- Respondents

For Petitioner : Shri Vinod Deshmukh and Shri Ritesh Giri, Advocates.
 For Respondent/State : Smt. Fouzia Mirza, Additional Advocate General.

Hon'ble Shri P.R. Ramachandra Menon, Chief Justice
Hon'ble Shri Prashant Kumar Mishra, Judge

Order on Board**10/05/2019****Per P.R. Ramachandra Menon, Chief Justice**

1. The Petitioner has approached this Court with following prayers:-

“10.1 This Hon'ble Court be pleased to direct the Respondent Authority/State Government to produce entire records in respect of allotment of seats in the Government Dental College, Raipur.

10.2 This Hon'ble Court be pleased to issue the appropriate writ/writs, order/orders and direct the respondent government to consider her application dated 28/29.04.2019 for change of allotted seat/department from Oral Pathology & Microbiology Government Dental College, Raipur to Oral & Maxillofacial Surgery, Government Dental College, Raipur for PG Course in Master of Dental Surgery (MDS) and further direct to grant admission to the petitioner in the subject/department of Oral & Maxillofacial Surgery, Government Dental College, Raipur for PG Course in Master of Dental Surgery (MDS) according to her merit.

10.3 Any other relief as deemed fit by this Hon'ble Court.”

2. When the matter is taken up for consideration, the learned Additional Advocate General submits, on the basis of instructions received, that there is absolutely no fault or lapse on the part of Respondents in any manner and that the admitted pleadings are adequate enough to infer that the process of allotment was done on the basis of option preferred by the Petitioner for the particular Post Graduate Course. It is stated that the first option could not be given to the Petitioner by virtue of merit rating. The second option was considered and the same was granted to the Petitioner herein. The prayer in the petition is to permit her to change the option and to go for the 'third option', which does not actually come within the purview of 'upgradation' envisaged in the process of selection and allotment to the Course.

3. The learned counsel for the Petitioner submits that the Petitioner is placed at Sl.No.1 amongst the Scheduled Tribe candidates and since the process of selection is not over, if anything possible could be done within the permissible limits, acting upon Annexure P/4 representation pending consideration before the 2nd Respondent- Director, Medical Education, Chhattisgarh, the Petitioner would be satisfied accordingly.

4. The learned Additional Advocate General submits that Annexure P/4 will be considered and finalized by the 2nd Respondent, passing appropriate orders within the shortest possible time.
5. The said submission is recorded. No other order is warranted.
6. The writ petition is disposed off accordingly.
7. The Petitioner is required to produce a copy of the writ petition along with a copy of this order before the 2nd Respondent for further steps.

Sd/-

(P.R.Ramachandra Menon)
CHIEF JUSTICE

Sd/-

(Prashant Kumar Mishra)
JUDGE

Anu