

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

COCN No. 879 of 2019

Date of Decision: 03.12.2019

Aanchal Mahajan and others

.....Petitioners

Versus

Sh. Satish Chandra and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Ashok Bhardwaj, Advocate
for the petitioners.

Mr. Abhishek Sanghi, Advocate and
Mr. Devender Rattan, Advocate
for respondent No.3.

AVNEESH JHINGAN, J.(oral)

Reply by way of affidavit of Mr. Swaran Salaria filed today in Court, is taken on record and copy supplied to counsel for the petitioners.

The present litigation is between the medical students of Chintpurni Medical College and Hospital, Pathankot, (for short 'the college') and the college.

Due to some circumstances, the college was not in a position to impart the desired education to the medical students. The matter came to this Court and vide order dated 8.9.2017, it was ordered that the students be shifted to other medical college. The needful was done in December 2017. The petitioners have completed their MBBS course. The controversy surviving in the contempt proceedings was that the original certificates of the petitioners had not been returned. The stand of the college was that due amount was not paid by the petitioners.

At this stage, learned counsel for the parties are *ad-idem* that the original certificates have been returned.

Learned counsel for the petitioners raises a grievance with regard to 24 petitioners that excess payment has been made for return of the certificates and the said amount be ordered to be refunded.

Learned counsel for the college-respondent No.3 fairly submits on instructions from Mr. Swaran Salaria that in case the petitioners approach the college with the said grievance the same shall be dealt with.

At this stage it would not be appropriate to pass such an order of refund, however, to put an end to this long drawn litigation, let the petitioners file a detailed representation alongwith proof of the deposit of the fees within four weeks. In case such a representation is made, the college shall deal with the said representation in accordance with law after providing an opportunity of hearing and pass a reasoned order, within three months from its receipt. In case any amount is found in excess, the same be refunded to the petitioners within four weeks thereafter.

It is clarified that in case the petitioners are aggrieved of the order passed by the college, they shall be at liberty to avail remedy in accordance with law.

03.12.2019
reema

(AVNEESH JHINGAN)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable:	No