

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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C.W.P No. 9646 of 2019 (O&M)
Date of decision:12.04.2019

Dr. Praveen

.....Petitioner

Vs.

U.T. Chandigarh & Anr.

...Respondents

**CORAM: HON'BLE MR. JUSTICE MAHESH GROVER
HON'BLE MR. JUSTICE LALIT BATRA**

Present:- Mr. Arvind Kashyap, Advocate, for the petitioner.

Mr. Pankaj Jain and Mr. Amit Jhanji, Advocates,
for the respondents.

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MAHESH GROVER, J. (Oral)

The petitioner has been denied access to the counselling for the Post Graduate Course on the ground that he did not possess some of the original certificates required. The prospectus contains the following condition:-

“Candidates must bring following documents in original at the time of counseling. Candidates not possessing the following original documents at the time of counseling will not be allowed to appear in the counseling.”

Learned counsel for the petitioner contends that he had explained to the authorities that few of his certificates are with the Post Graduate Institute of Medical Education and Research, Chandigarh (for short, 'PGIMER'), where he had got admission in MD (Psychiatry) course. He refers to Annexure P-6, the certificate indicating the same. It is his contention that it was duly brought to the notice of the authorities but his prayer for being considered for counselling was not granted.

Learned counsel for the respondents contends that since the brochure contains categoric stipulation that a person has to produce the original certificates failing which no consideration would be granted to him and hence there would be no occasion for the petitioner to agitate his grievance in the present writ petition.

After hearing learned counsel for the parties, we are of the opinion that non-consideration to the petitioner in the counselling process for the Post Graduate Course by the respondents is absolutely harsh. It is not a case that the petitioner is not having a requisite certificates. He expressed his difficulty since these were in the possession of PGIMER and some time would be required to retrieve the same. Having considered the facts in totality, we deem it appropriate to dispose of the instant writ petition with a direction to the petitioner that he shall produce original certificates after retrieving the same from the PGIMER within a period of 10 days from today and in case he satisfies all other conditions he be considered for admission process.

Accordingly, the present writ petition is disposed of with the abovesaid direction.

(MAHESH GROVER)
JUDGE

April 12, 2019
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(LALIT BATRA)
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No