

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

CWP No.10428 of 2019

Date of Decision : 23.04.2019

Dr. Yashika Kapoor

....Petitioner

Versus

U.T. Chandigarh and others

...Respondents

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

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

...

MAHESH GROVER, J.(O)

The prayer made in this writ petition is for issuance of a writ in the nature of certiorari for quashing condition PG-6, para no.5 second part of Prospectus, extracted herebelow :-

“PG-6: Counseling for State Quota seats (Institutional Preference
Pool/UT Chandigarh Pool

xxx

xxx

xxx

5. The candidates should bring with them a complete set of following documents at the time of counseling:

- i. Printout of online submitted application form Self attested photocopies of following documents:
- ii. NEET-PG 2019 Result card.
- iii. NEET-PG 2019 Admit card.
- iv. Matriculation certificate showing the date of birth.
- v. Detailed marks sheet for all MBBS professionals examinations.
- vi. Internship completion certificates.
- vii. MCI/State Medical Council registration certificate.
- viii. Documents to establish eligibility for UT Chandigarh Pool.
- ix. Reserved category (SC) certificate if applicable.

x. Character and conduct certificate from the institution last attended.

xi. No objection certificate (NOC) if applicable

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:

i. Printout of online submitted application from.

ii. NEET-PG 2019 Result card.

iii. NEET-PG 2019 Admit card.

iv. Matriculation Certificate showing the date of birth.

v. Detailed marks sheet for all MBBS professionals examinations.

vi. Internship completion certificates.

vii. MCI/State Medical Council registration certificate.

viii. Documents to establish eligibility for UT Chandigarh Pool if applicable.

ix. Reserved category (SC) certificate if applicable.

x. Character and conduct certificate from the institution last attended.

xi. No objection certificate (NOC) if applicable.”

Learned counsel for the petitioner contends that insistence on the original certificates as a pre-requisite for counseling is extremely harsh as in a given situation a person's documentary credentials may be with some other institute which may require some time.

After hearing the learned counsel for the petitioner, we are of the opinion that the condition per se cannot be termed to be harsh as it is a regulatory to the process of admission but if in a given case a person can show his helplessness in producing the original certificates the authority would be well within its right to consider such a request and if

genuine consider a person provisionally for the purpose of counseling. In fact the authority concerned should display a sympathetic leaning in such cases of proven hardship.

Petition stands disposed of.

(MAHESH GROVER)
JUDGE

23.04.2019
dss

(LALIT BATRA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No