

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

**CWP No.24561 of 2019
Date of decision: 05.09.2019**

Chandan and others

....Petitioners

Versus

State of Punjab and others

....Respondents

Coram: Hon'ble Mr. Justice B.S. Walia

Present: Mr. Parduman Garg, Advocate for the petitioners.

B.S. Walia, J. (Oral)

Claim in the writ petition is for the issuance of a writ of Mandamus directing the respondents to pay the petitioners the amount outstanding on account of stipend alongwith interest @ 24% per annum from the date the same became due till date of actual payment.

2. Learned counsel contends that the petitioners were students of MBBS Course in Gian Sagar Medical College, Banur, Rajpura, District Patiala but due to closure of said College, the petitioners pursuant to the orders of this Court in CWP No.7647 of 2017 in case titled as '**Raghav Mittal and others versus State of Punjab and others**', were shifted to Government Medical College, Patiala which is affiliated to the Baba Farid University of Health Sciences, Faridkot.

3. Learned counsel contends that the petitioners were entitled to stipend of ₹9,000/- per month from the Government Medical College, Patiala but were

Medical College, Patiala, who wrote to the Director, Research and Medical Education, Punjab vide Annexure P-5 giving details of students as also the total amount of stipend due to be paid to them. Learned counsel contends that although letter Annexure P-5 was written on 13.8.2019 in addition to earlier communication Annexure P-2 dated 25.7.2019 to the Director, Research and Medical Punjab for issuance of directions for payment of appropriate stipend to the students of MBBS Course shifted from Gian Sagar Medical College, Banur, no decision has been taken in respect thereto till date. Learned counsel states that in the circumstances, the petitioners would be satisfied, if at this stage, the writ petition is disposed of by directing respondent Nos.1 to 3 to take a decision with regard to the claim of the petitioners in the light of communication Annexures P-2 and P-5.

4. Notice of motion to respondent Nos.1 to 3 only.
5. On the asking of the Court, Mr. Arun Kaundal, DAG, Punjab, who is present in Court, accepts notice on behalf of respondent Nos.1 to 3.
6. Copy of the writ petition supplied to learned State counsel.
7. Learned DAG, on perusal thereof states that he has no objection to the innocuous prayer for disposal of the writ petition by directing respondent Nos.1 to 3 to take a decision with regard to the claim of the petitioners for payment of stipend within a time bound manner in the light of communication Annexure P-2 and P-5.
8. In the light of statement of learned counsel for the parties, the writ petition is disposed of by directing respondent Nos.1 to 3 to consider and decide the claim of the petitioners for payment of stipend in accordance with rules and regulations applicable in the light of communications Annexures P-2 and P-5 within a period of four weeks from the date of receipt of certified copy of this order. If the petitioners are found entitled to payment of stipend then the

the same shall be paid alongwith interest @ 7.5% per annum with effect from the date the same became due till date of payment.

September 05, 2019
ps

(B.S. WALIA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No