

(126) IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.27745 of 2019

Date of decision: 26.09.2019

Roohan Malhar Sandhu and anr.

...Petitioners

Versus

State of Punjab and Ors.

... Respondents

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

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

B.S. WALIA, J. (ORAL)

[1] Prayer in the writ petition is for the issuance of a writ in the nature of Mandamus directing the respondents to pay stipend @ ₹ 9000/- per month to the petitioners as per the Dental Council of India Regulations for the period of internship along with interest @ 24% per annum with effect from the date the same became due till date of actual payment.

[2] Learned counsel contends that the petitioners were students of BDS course in Gian Sagar Dental College, Banur, Rajpura, Distt. Patiala but due to closure of said College, pursuant to the orders of this Court in CWP No.7647 of 2017 in case titled as Raghav Mittal and others v. State of Punjab and others, the petitioners along with other students were shifted to Government Dental College, Amritsar which is affiliated to the Baba Farid University of Health Sciences, Faridkot. Learned counsel contends that the

petitioners are entitled to payment of stipend @ ₹ 9000/- per month from the

Government Dental College, Amritsar for the duration of internship in terms of Dental Council of India Regulations but have not been paid the same despite legal notice-cum-representation, Annexure P-2 dated 19.08.2019 having been submitted to the Director, Directorate Medical Education and Research Punjab, Principal, Government Dental College, Amritsar as also Vice Chancellor, Baba Farid University of Health Sciences, Faridkot.

[3] Learned counsel further states that respondent Nos.2 & 3 are the authorities competent to take a decision with regard to the payment of stipend @ ₹ 9000/- per month to the petitioners and that in the circumstances the petitioners would be satisfied if, at this stage, the writ petition is disposed of by directing respondent Nos.2 & 3 to consider and decide the legal notice-cum-representation, Annexure P-2 dated 19.08.2019 expeditiously as per rules.

[4] Notice of motion to respondent Nos.2 & 3 only.

[5] Mr. Arun Kaundal, DAG, Punjab accepts notice on behalf of respondent Nos.2 and 3. Copy of the writ petition furnished to learned DAG, Punjab who on perusal of the same states that he has no objection to the innocuous prayer of learned counsel for the petitioners for issuance of directions to respondent Nos.2 and 3 to consider and decide the legal notice-cum-representation, Annexure P-2 dated 19.08.2019 in a time bound manner.

[6] Accordingly, in view of the statement of learned counsel for the parties, the writ petition is disposed of by directing respondent Nos.2 and 3 to consider and decide the legal notice-cum-representation, Annexure P-2 dated 19.08.2019 viz-a-viz the claim of the petitioners for payment of stipend @ ₹ 9000/- per month in accordance with the rules and regulations

weeks from the date of receipt of certified copy of this order. If on consideration of Annexure P-2 the petitioners are found entitled to payment of stipend @ ₹ 9000/- per month as per rules and regulations applicable then the same be released to them within a period of four weeks thereafter, failing which the same shall be payable along with interest @ 7.5% per annum with effect from the date of entitlement till date of payment.

(B.S. Walia)
Judge

26.09.2019
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1. Whether speaking/reasoned: Yes/No.
2. Whether reportable : Yes/No.