

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

CWP No.27823 of 2019

Date of decision: 26.09.2019

Malika Gupta and Ors.

...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 respondents to pay stipend @ ₹ 8000/- per month to the petitioners on account of internship in the final year of MBBS course 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 initially admitted in MBBS course in Gian Sagar Medical College, Banur, Rajpura, District Patiala. However, due to closer of the said College, the petitioners along with other candidates were shifted to Sri Guru Ram Das Institute of Medical Sciences and Research, Amritsar 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. Learned counsel contends that the petitioners are

entitled to payment of stipend @ ₹ 8000/- per month as per the Medical

Council of India Regulations during the internship period in the final year of MBBS course and that although petitioner Nos.1 to 6 have already completed their MBBS course while petitioner No.7 is still pursuing her internship, but stipend as admissible has not been paid till date despite the petitioners having served legal notice-cum-representation, Annexure P-2 dated 06.08.2019 to respondent Nos.2 to 4.

[3] Learned counsel further states that respondent No.2 is the authority competent to take decision with regard to payment of stipend @ ₹ 8000/- per month to the petitioners and that in the circumstances, the petitioners would be satisfied if the writ petition is disposed of by directing respondent No.2 to consider and decide the legal notice-cum-representation, Annexure P-2 dated 06.08.2019 expeditiously.

[4] Notice of motion to respondent No.2 only.

[5] Mr. Arun Kaundal, DAG, Punjab accepts notice on behalf of respondent No.2 and states that he has no objection to the innocuous prayer of learned counsel for the petitioners for issuance of directions to respondent No.2 to consider and decide the legal notice-cum-representation, Annexure P-2 dated 06.08.2019 in a time bound manner.

[6] Accordingly, in view of statement of learned counsel for the parties, the writ petition is disposed of by directing respondent No.2 to consider and decide the legal notice-cum-representation, Annexure P-2 dated 06.08.2019 viz-a-viz the claim of the petitioners for payment of stipend @ ₹ 8000/- per month during internship period in the final year of MBBS course in accordance with the rules and regulations applicable as expeditiously as possible preferably within a period of four weeks from the date of receipt of certified copy of this order. In case, if on consideration the petitioners are

regulations applicable then the same shall 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 on the amount due and payable with effect from the date of entitlement till date of payment.

26.09.2019
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(B.S. Walia)
Judge

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