

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

CWP No.32996 of 2019
Date of Decision : 15.11.2019.

Ankita Sharma and others

...Petitioners

Versus

State of Punjab and others

....Respondents

Coram : 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 of Mandamus directing the respondents to pay the petitioner the amount of stipend @ ₹9,000/- per month along with interest @ 24% per annum w.e.f. the date the same became due till the date of payment.

2. Learned counsel contends that the petitioners were pursuing MBBS course in Chintpurni Medical College and Hospital, Bungal Badhani, Pathankot, District Pathankot but due to closure of said college, the petitioners, pursuant to order of this Court in CWP No.7348 of 2019, in case titled as Aakansha Mahajan and others vs. Union of India and others, were shifted to Government Medical College, Patiala, which is affiliated with Baba Farid University of Health Sciences, Faridkot. Learned counsel contends that the petitioners are entitled to stipend @ ₹9,000/- per month from the Government Medical College, Patiala, for the duration of the final year of MBBS course but have not been paid the same, despite representation-cum-legal notice to the Principal, Government Medical College, Patiala, vide Annexure P/2 dated 21.10.2019. Learned Counsel contends that no action has been taken on the said legal notice-cum-

representation till date and that in the circumstances, the petitioners would be satisfied if the writ petition is disposed of at this stage by directing respondent No.3/Principal, Government Medical College, Patiala as also respondent No.2/Director, Medical Education and Research, Punjab to consider and decide the claim of the petitioners as made in legal notice-cum-representation Annexure P/2 dated 21.0.2019 in a time bound manner.

3. Notice of motion to respondent Nos.1 to 3 only.

4. Mr. Rajesh Bhardwaj, Sr. DAG, Punjab, who is present in Court, accepts notice on behalf of respondent Nos.1 to 3 and state that he has no objection to the innocuous prayer made by learned counsel for the petitioners.

5. Without commenting upon the merits of the claim, the writ petition is disposed of by granting liberty to the petitioners to submit a representation to respondent No.2. On receipt of representation as well as certified copy of this order, respondent Nos.2 and 3 shall consider and decide the claim of the petitioners for payment of stipend in accordance with rules and regulations applicable within a period of four weeks. If the petitioners are found entitled to payment of stipend as per rules and regulations of MCI/rules applicable, then the same be released within a period of four weeks thereafter, failing which, the same shall be paid along with interest @ 7.5% from the date it became due till the date of payment.

6. Writ petition disposed of in aforementioned terms.

(B.S.WALIA)
JUDGE

15.11.2019.

rajesh.k.khurana

Whether speaking/reasoned
Whether reportable

: Yes/No
: Yes/No