THE HIGH COURT OF MADHYA PRADESH

(DIVISION BENCH)

WRIT PETITION NO. 17660/2020

Dhananjay Agrawal

-Versus-

State of M.P. and others

Shri Nitin Singh Solanki, learned counsel for the petitioner.

CORAM :

Hon'ble Shri Justice Sanjay Yadav, Acting Chief Justice

Hon'ble Shri Justice Vijay Kumar Shukla, Judge.

O R D E R

(Jabalpur, dated 16-12-2020)

Per : Sanjay Yadav, Acting Chief Justice.-

Petitioner seeks direction to respondents to have him admitted as intern from notional date, i.e., 1.3.2020 in place of 14.5.2020 and release stipend from the notional date.

2. Case of the petitioner is that having passed the Bachelor of Dental Science on 22.2.2020 he is entitled for one year paid rotating internship in a Dental College as per Regulation 1 (III) of the Bachelor of Dental Science Course Regulation, 2007 (as amended on 25.8.2011). It is urged that the petitioner approached

the Authorities on 1.3.2020, however, because of illegal demand of Rs.18,000/- which the petitioner could not pay, deprived him of the berth w.e.f 1.3.2020. Instead it is urged that when the petitioner volunteered to perform COVIND-19 Sampling Duty his name was included as intern from 4.9.2020. It is contended that the action of respondents is arbitrary and contrary to law, reliance is placed on an advisory No. DE-22-BDS (Academic)-2020/16042020 dated 16.4.2020.

3. So far as Advisory issued by the Dental Council of India, evidently, it is in context to COVID-19, close reading whereof, however, does not lend support to petitioner's contention for notional fixation of the date of Internship. The internship being of compulsory nature requiring the incumbent to regularly attend his duty and merely because the petitioner volunteered to perform COVID-19 Sampling Duty ipso facto cannot be treated as intern-ship. It being petitioner's own case that the Colleges were closed and re-opened on 4.9.2020 justify the action of the respondents to start one year paid rotating internship from said date. Furthermore, the petitioner has alleged of being demanded Rs.18,000/- towards fees; there is no materi4 al on record to substantiate these contentions; therefore, rejected.

4. In these given facts the petitioner is not entitled for internship from a retrospective notional.

5. Consequently, petition fails and is **dismissed**. No costs.

(SANJAY YADAV)
ACTING CHIEF JUSTICE

(VIJAY KUMAR SHUKLA)
J U D G E

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