

CM No. 5071-72-CWP of 2020 in/and
CWP No. 8435 of 2019

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

CM No. 5071-72-CWP of 2020 in/and
CWP No. 8435 of 2019
Date of Decision: 09.06.2020

Munish Sagar

-Petitioner

Versus

State of Punjab and others

-Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Amandeep Saini, Advocate,
for the petitioner.

Ms. Anu Pal, D.A.G., Punjab.

Mr. Nitin Kaushal, Advocate,
for respondents No.2 to 4.

Mr. M.S. Longia, Advocate,
for respondent No.5.

RAJ MOHAN SINGH, J. (Oral)

The case has been taken up for hearing through video-conferencing.

CM No. 5071-CWP of 2020

Allowed as prayed for.

CM No. 5072-CWP of 2020

For the reasons mentioned in the application, the same is allowed and the main case is taken up today.

Main case

Petitioner has preferred this writ petition for quashing of result declared on 07.01.2019 by the respondent- University i.e. Baba Farid University of Health Science, Sadiq Road, Faridkot pertaining to MD (Pediatrics).

Grievance of the petitioner is that the result has been compiled in violation of the procedure prescribed by the Post Graduate Medical Education Regulation, 2000 which provides for minimum number of examiners to be four, out of which, at least 50% shall be external examiner who shall be invited from other recognized University outside the State. Two sets of internal examiners are to be appointed, one for MD/MS and one for Diploma.

During course of arguments, learned counsel for the parties are *ad idem* that this case is covered by the ratio of **CWP No.22669 of 2019 titled 'Dr. Mohini Garg and others vs State of Punjab and others'** wherein Regulation 14(1) (b) of the Post Graduate Medical Education Regulation, 2000 has been explained and it has been held that Regulation mandates that the answer books of each post graduate student have to be evaluated by 04 examiners as mentioned in Regulation 14(1) (b) of the aforesaid Regulation, 2000.

At the time of issuance of notice of motion, notices were issued to respondents No.1 to 4 only.

Learned counsel for respondents No.2 to 4 very fairly

admitted that the petition is covered by the ratio of CWP No.22669 of 2019 decided on 06.01.2020.

Learned State counsel submitted that the issue is between the petitioner and respondents No.2 to 4.

On 08.06.2020, the case was adjourned for today in order to enable learned counsel for the petitioner to seek instructions, whether the petitioner intends to seek parity with the petitioners in terms of CWP No.22669 of 2019 including the prayer for checking by system of e-evaluation adopted by the University.

Today, learned counsel for the petitioner very fairly submitted that the petitioner is not interested in manual checking and this petition be disposed of in terms of order dated 06.01.2020 passed in CWP No.22669 of 2019.

After hearing learned counsel for the parties, I deem it appropriate to dispose of this writ petition in terms of order dated 06.01.2020 passed in CWP No.22669 of 2019.

Normal consequences to follow at the earliest.

June 09, 2020
Jyoti Sharma

(RAJ MOHAN SINGH)
JUDGE

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