

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**REVP No. 34 of 2021**

1. State Of Chhattisgarh Through Secretary, Health And Family Welfare Mahanadi Bhawan, Mantralaya, Capital Complex, Atal Nagar, Nawa Raipur District Raipur Chhattisgarh
2. Director Of Medical Education State Of Chhattisgarh Through Its Director, Medical Education Old Nurses Hostel D K S Bhawan, Campus, Raipur District Raipur Chhattisgarh
3. Dean Bharat Ratna Late Shri Atal Behari Vajpayee Memorial Medical Collage, Rajnandgaon Chhattisgarh

---- Petitioners

Versus

1. Shivani Wadhwani D/o Gurumukh Das Wadhwani Aged About 22 Years R/o Padum Nagar, Bhilai 3, Charoda, District Durg Chhattisgarh
2. Manjari Agrawal (Minor) Through Mother And Natural Guardian Smt. Seema Devi Agrawal @ Seema Agrawal W/o Shri Ramesh Kumar Agrawal Aged About 45 Years, R/o Ward No. 24, Gali No. 02, Ramnagar, Gokul Nagar, Gudhiyari, Raipur, Tahsil And District Raipur, Chhattisgarh Pin 492011
3. Shivendra Shukla S/o S. N. Shukla Aged About 21 Years R/o House No. 962, Street No. 18, Shanty Nagar, Supela, Post Office Supela Bhilai District Durg, Chhattisgarh Pin 491001
4. National Medical Commission Through Its Secretary General, Pocket 14, District New Delhi, Delhi

---- Respondents

For Petitioner / State : Shri Fouzia Mirza, Add. A.G.

For Respondent No.1 : Shri Manoj Paranjpe, Advocate

Hon'ble Shri Justice Manindra Mohan Shrivastava**Hon'ble Smt. Justice Vimla Singh Kapoor****Order On Board****16/03/2021**

Heard on admission.

Though learned State counsel would argue that the petitioner – Shiwani Wadhwani was not entitled to any relief from the Court because by the time the petition was heard

on 13/01/2021, there were no seat left vacant for grant of seat to Shiwani Wadhwani, no such specific arguments were raised before us during the course of final hearing and it is for this reason, there is no consideration on this aspect.

2. An argument was raised that though on 06/01/2021, an interim order was passed to keep one seat vacant, a stand was taken by the State that the process of allotment of seat was over, this also does not impress the Court because there is no material placed before the Court that pursuant to allotment made during counseling, provisional admission letters were issued and all the candidates to whom provisional letters were issued, obtained admissions by approaching the same educational institutions so as to say that on 06/01/2021, all seats were filled up.

3. The contention of the State that occasion to grant admission to Shiwani Wadhwani arose because of cancellation of allotment of seat to Manjari Agrawal and Shivendra Shukla was considered by this Court but rejected in view of what has been stated in paragraph 15 of the order under review.

4. We, therefore, of the view that this petition does not contain any ground for review and this is more in the nature of an appeal in disguise. The review petition is, accordingly, dismissed.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Sd/-
(Vimla Singh Kapoor)
Judge