

CWP-22540-2020

Date of Decision: 8.3.2021

Milan

..... Petitioner

Versus

State of Haryana and others

.....Respondents

**CORAM: HON'BLE MR. JUSTICE AJAY TEWARI
HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

Present: Mr. Vikas Lochab, Advocate, for the petitioner.
Mr. Vivek Saini, Additional Advocate General, Haryana.
Mr. D.S. Rawat, Advocate, for respondent No.4.

AJAY TEWARI, J. (ORAL)

This petition has been filed challenging the action of respondent No.4-Lala Lajpat Rai University of Veterinary and Animal Sciences, LUVAS, Hisar in declining admission to the petitioner, who is stated to have visual disability in both eyes.

Reliance has been placed on the judgment of Hon'ble the Supreme Court in Purswani Ashutosh (minor) through Dr. Kamlesh Virumal Purswani vs. Union of India and others, passed in Writ Petition (C) No.669-2018, decided on 24.8.2018 to claim that a person with similar disability was allowed admission in MBBS course.

A perusal of the aforesaid judgment reveals that the Medical Education Regulations (which have statutory force) permitted admission to a person with visual disability and the admission had been declined only on the report of a Committee, which had been formed by the Medical Council of India itself. The Supreme Court noticed that statutory regulations would have force over a report of a Committee and that even after the report of the Committee had been received, the Medical Council of India did not amend the regulations and consequently allowed the petition.

In the present case, the Regulation 7 (10) of Minimum Standard of Veterinary Education Regulations, 2016, which has been quoted in the written statement clearly bars admission for candidates with visual disability. Moreover, this was specified in the prospectus also.

In these circumstances, the judgment in the case of Purswani Ashutosh (supra) would not be applicable to the present case. Consequently, the writ petition is dismissed.

(AJAY TEWARI)
JUDGE

(RAJESH BHARDWAJ)
JUDGE

8.3.2021
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Whether Speaking/Reasoned	:	Yes/No
Whether Reportable	:	Yes/No