

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No. 955 of 2022 (O&M)
Date of decision:- 19.01.2022

Harileen Kaur Saimbhi

.....Petitioner

Versus

State of Punjab and another

...Respondents

**CORAM: HON'BLE MR. JUSTICE RAVI SHANKER JHA, CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN PALLI, JUDGE.**

Present:- Mr. Gurminder Singh, Sr. Advocate with
Ms. Harpriya Khaneka, Advocate, for the petitioner.
Mr. Avinit Avasthi, Assistant Advocate General, Punjab,
for respondent No.1.
Mr. Nitin Kaushal, Advocate, for respondent No.2-University.

(The aforesaid presence is being recorded through video conferencing since the proceedings are being conducted in virtual Court).

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RAVI SHANKER JHA, CHIEF JUSTICE (oral)

This petition has been filed by the petitioner being aggrieved by denial of Eligibility Certificate as an NRI candidate to her for the purpose of participating in NEET counselling for admission in MBBS/BDS course for the session 2021-22 by the respondent-authorities.

Having heard learned senior counsel for the petitioner, it is observed that paragraph-23 of the notification dated 22.09.2021 (Annexure P-2), on the basis of which NRI status of a candidate is to be determined, requires and provides that any dispute arising out of the admissions under this notification would be decided by the Administrative Secretary, Department of Medical Education & Research, Government of Punjab, whose decision shall be final.

When confronted with the aforesaid paragraph of the notification, learned senior counsel appearing for the petitioner submits that the petitioner shall raise the dispute against denial of Eligibility Certificate to her before the authority prescribed in paragraph-23 of the notification. He, however, submits that as the counselling process is going to start from today i.e. 19.01.2022 and shall continue till 24.01.2022, the authority concerned may be directed to consider and decide the dispute at the earliest and in any case before the last date.

Learned Assistant Advocate General appearing for the respondent-State of Punjab, on advance copy, submits that in case the petitioner raises any such dispute during the course of the day, the authority prescribed shall consider and decide the same by 22.01.2022 by passing a speaking order and shall assign reasons and communicate the same to the petitioner.

In view of the statement made by learned senior counsel for the petitioner as well as learned Assistant Advocate General, Punjab and in terms thereof, the petition filed by the petitioner stands disposed of.

(RAVI SHANKER JHA)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

19.01.2022
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Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No