

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

CWP-4495-2022 (O&M)
Date of decision:- 08.03.2022

Jagbir Singh

...Petitioner(s)

Versus

State of Haryana and others

...Respondent(s)

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

Present: Mr. Inder Pal Goyat, Advocate,
for the petitioner.

Mr. Deepak Balyan, Additional Advocate General, Haryana.

(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, C.J. (ORAL)

This writ petition has been filed by the petitioner alleging that the respondent-authorities have changed the eligibility criteria for in-service candidates for getting admission to the B.Sc. course in Radiography and Imaging Technology for which a prospectus had been issued by respondent No. 3 - university for the session 2021-2022.

Learned counsel for the petitioner submits that subsequently the respondent-authorities by issuing a notification dated 14.02.2022 (Annexure P-5) have changed the criteria for the said course for in-service candidates and prescribed a mandatory diploma in Radiography of minimum two years' duration thereby rendering the petitioner ineligible. He further submits that though the petitioner was eligible in terms of the criteria mentioned and prescribed in the prospectus issued by the respondent No. 3 - university, which was in consonance with the instructions dated 16.07.2014 issued by the Chief Secretary to the Government of Haryana and has also passed the test and is due for counselling, but before the same could be taken up, during the process of admission the criteria has been changed rendering him ineligible.

Mr. Deepak Balyan, learned Additional Advocate General, Haryana submits that admissions to the nursing course are governed by the statutory provisions and, therefore, the State of Haryana has notified the procedure for admission by prescribing the necessary eligibility qualification.

He, however, submits that the issue raised by the petitioner regarding the

change of the eligibility qualification after commencement and during the pendency of the admission process would be considered and examined by respondent No. 1, namely, the Additional Chief Secretary to Government of Haryana, Medical Education and Research Department. He further submits that the petitioner would also be given a hearing and the matter would be decided tomorrow itself as the choice filling for the purposes of counselling would end by 09.03.2022. He further submits that in case any substance is found in the submission of the petitioner, he shall be given due opportunity to participate in the admission process.

In view of the submission made by learned counsel for the petitioner as well as the statement of learned State counsel, the writ petition stands disposed of directing the respondent No. 1 to take up the matter tomorrow. It is, however, made clear that the petitioner may be represented before the said authority either by himself or through his counsel at the time and place to be communicated by them. The said authority shall thereafter take up the matter and decide it in terms of the statement made by learned State counsel before this Court and communicate the decision to the petitioner accordingly.

(RAVI SHANKER JHA)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

08.03.2022
Amodh

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