

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-15289-2017 (O&M)

Date of Decision: 13.12.2022

Dr. Deepak and others

....Petitioners

VS

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present:- Mr. Pardeep Singh Poonia, Advocate and
Mr. Pulkit Dhanda, Advocate
for the petitioners

Mr. Rajneesh Chadwal, AAG Haryana

Mr. M.S. Longia, Advocate
for respondent No. 3 – MCI

Mr. Harmanjot Singh Gill, Advocate and
Mr. Varun Chugh, Advocate
for respondents No. 4 and 5

SUDHIR MITTAL, J. (Oral)

The petitioners were admitted to respondent No. 7 for 4 ½ years MBBS Course. Subsequently, respondent No. 7 had to close down on account of mis-management and, thus, the petitioners were transferred to respondents No. 5 and 6. Their only grievance is that they were not treated as interns during the period of internship and were charged Rs. 50,000/- as registration fee and were not paid internship allowance of Rs. 12,000/- per month at par with other interns. Further, refundable security deposited with respondent No. 7 has not been refunded.

Learned counsel for the petitioners submits that during the pendency

of the writ petition, the Govt. of Haryana has written to the Vice Chancellor of

Pandit Bhagwat Dayal Sharma University of Health Sciences, Rohtak on 23.10.2018 directing him to pay internship allowance to identically situated students of subsequent batches and not to charge registration fee of Rs. 50,000/-. Vide order of even date, a direction has also been issued to refund the security deposit. These decisions would squarely apply to the case of the petitioners also.

Learned counsel appearing for respondent No. 4 concedes this position.

Learned counsel for respondent No. 3 submits that bank guarantees furnished by respondent No. 7 have been encashed and the proceeds thereof have been remitted to respondent No. 4.

In view of the above submissions, the writ petition is allowed. It is directed that registration fee of Rs. 50,000/- paid by the petitioners be refunded. They be also paid internship allowance @ Rs. 12,000/- per month. Necessary refund of security deposit be also granted and they be treated as regular students. The needful be done within four weeks from the date of receipt of certified copy of this order.

Since the main case has been decided, pending miscellaneous application(s) also stands disposed of.

13.12.2022

reena

**(SUDHIR MITTAL)
JUDGE**

Whether speaking/reasoned
Whether Reportable :

Yes/No
Yes/No