

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

CWP-9082-2017 (O&M)
Date of decision:- 16.11.2022

Sukhmanpreet Kaur

...Petitioner(s)

Versus

State of Punjab and others

...Respondent(s)

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

Present: Mr. Akshay Bhan, Senior Advocate,
with Mr. Dilpreet Singh Gandhi, Advocate,
and Mr. Rohit Nagpal, Advocate,
for the petitioner.

Mr. Avinit Avasthi, Assistant Advocate General, Punjab,
for respondents No. 1, 3 and 5.

Mr. K.S. Sandhu, Advocate,
for respondent No. 2.

Mr. M.S. Longia, Advocate,
for respondent No. 4.

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RAVI SHANKER JHA, C.J. (ORAL)

The present writ petition has been filed by the petitioner being aggrieved by a communication dated 12.04.2017 (Annexure P-4) by which the monitoring authority i.e. respondent No. 2 – Baba Farid University of Health Sciences, Faridkot on examining the documents submitted by her for seeking admission in the MBBS Course in the year 2016 has found that she had submitted insufficient and incorrect documents to claim benefit of the State quota under exemption category 16(ii) as she did not belong to the State of Punjab. The concerned authority found that the petitioner's documents indicated that she was from the State of Haryana and had wrongly filed the exemption certificate dated 16.09.2016 (Annexure R-3) seeking benefit under the exemption category 16(ii) which related to bonafide residents of Punjab.

The petitioner being aggrieved by the communication dated 12.04.2017 issued by the respondent No. 2 - University directing respondent No. 3 – Government Medical College, Amritsar to strike off her name from its rolls approached this Court by filing the present writ petition. This Court by an interim order dated 06.06.2017 permitted the petitioner to attend her classes. Later, by the interim orders dated 01.08.2017 and 19.09.2017, the petitioner was provisionally permitted to appear in the examinations. It is informed by learned senior counsel appearing for the petitioner that as on date she has completed her MBBS course which fact is not disputed by the respondents. However, her final result has not been declared on account of pendency of this writ petition.

At this stage, learned senior counsel for the petitioner submits that the petitioner having completed her MBBS course on account of the interim orders passed by this Court from time to time, her result may be directed to be declared. However, when confronted with the facts of the present case, learned senior counsel, on instructions from the petitioner, who is present in the Court, further submits that the petitioner shall deposit a sum of Rs. 7 lacs by way of costs before the respondent No. 3 for the purposes of utilizing the same to grant services to the needy.

Learned Assistant Advocate General, Punjab, appearing for respondents No. 1, 3 and 5 as well as learned counsel appearing for respondent No. 2, do not oppose and infact accept the aforesaid prayer and submission made by learned senior counsel for the petitioner.

As far as learned counsel appearing for respondent No. 4 – Medical Council of India is concerned, he submits that he has no instructions and nothing to say about the lis and has not even filed any reply in the matter.

In the light of the above and in terms of the submission made by learned senior counsel for the petitioner and the consent given by learned State counsel for respondents No. 1, 3 and 5 as well as learned counsel for respondent No. 2, the writ petition is disposed of with a direction to the respondent-authorities to declare the result of the petitioner subject to her depositing a sum of Rs. 7 lacs with the respondent No. 3.

It is made clear that the result would be declared only after the said amount is deposited by the petitioner. It is further made clear that this order has been passed by this Court only on the basis of the consent of the parties and is, therefore, confined to the facts of the present case and cannot and shall not be treated, cited or construed as a precedent in any other matter.

(RAVI SHANKER JHA)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

16.11.2022
Amodh Sharma

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