

101

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

CWP-30380-2022

Date of Decision: December 30, 2022

Adesh Institute of Medical Sciences and Research, Barnala Road, Bathinda

.....Petitioner

Versus

Union of India and others

.....Respondents

**CORAM: HON'BLE MR.JUSTICE RAJESH BHARDWAJ
HON'BLE MR.JUSTICE ALOK JAIN**

Present: Mr.Nandan Jindal, Advocate
for the petitioner.

.....

RAJESH BHARDWAJ, J.(ORAL)

Present writ petition has been filed for issuance of a writ order or direction, especially in the nature of mandamus directing respondents No.1 to 4 to fill-up the vacant seat, which was left by respondent No.5 for MBBS in Govt. Quota Seat (Backward Class Category) for Session 2022-23.

It has been contended by counsel for the petitioner that respondent No.5 after seeking admission in the second round, has surrendered the seat and on account of the same, one seat has fallen vacant. He has approached this Court praying that thereafter the petitioner/College has filed representation before respondent No.3, i.e. Baba Farid University, Faridkot, to declare the surrendered seat as vacant, however, till date, despite number of representations, no call has been taken. He submits that portal is open till 31.12.2022 and till date, no decision has been taken by the respondent/University on the representations filed by the petitioner. He further submits that petitioner/College would suffer an irreparable loss, if the

seat is not filled up. He relies upon the order passed by Himachal Pradesh High Court, Shimla in CWP No.2616 of 2020, decided on 28.07.2020 (Maharishi Markandeshwar University and another vs State of Himachal Pradesh and others) and an interim order passed by this Court in CWP No.30345 of 2022, on 26.12.2022, Annexure P-17.

Notice of motion to official respondents only, at this stage.

On the asking of the Court, Mr.Anil Chawla, standing counsel for Union of India accepts notice on behalf of the official respondents.

After hearing the counsel for the parties and perusing the record, it is apparent that in the interim order relied upon by counsel for the petitioner, Mop up round was still in operation, however, in the present case, Mop up round is also over. However, keeping in view the facts and circumstances of the present case, the present petition is disposed of with a direction to respondent No.3, i.e. Baba Farid University, Faridkot, to decide the representations, Annexures P-8 to P-14 and P-14/A, filed by the petitioner, by tomorrow, i.e. 31.12.2022 and take appropriate decision on the same, keeping in view the submissions made by counsel for the petitioner.

(RAJESH BHARDWAJ)
JUDGE

December 30, 2022
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(ALOK JAIN)
JUDGE

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| 1. | Whether speaking/reasoned ? | Yes/No |
| 2. | Whether reportable ? | Yes/No |