

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

228

Date of decision: 20.04.2023

1. CWP No.510 of 2021

Aditi Tayal and others

..... Petitioners

Versus

Union of India and others

..... Respondents

2. CWP No.4665 of 2019

Akash Garg and others

..... Petitioners

Versus

Union of India and others

..... Respondents

3. CWP No.2107 of 2022

Ankita Sharma and another

..... Petitioners

Versus

Union of India and others

..... Respondents

4. CWP No.4180 of 2021

Arshdeep Kaur and others

..... Petitioners

Versus

Union of India and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Ashok Bhardwaj, Advocate
for the petitioner(s)
(in CWP-510-2021, CWP-4665-2019 & CWP-4180-2021).

Mr. Kulbir Singh Saini, Advocate, for
Mr. Amandeep Saini, Advocate
for the petitioners (in CWP-2107-2022).

CWP No.510 of 2021 & other connected cases -2- 2023:PHHC:055595

Mr. Anil Chawla, Senior Panel Counsel
for the respondents-UOI (in all petitions).

Mr. Rohit Ahuja, DAG, Punjab.

Mr. Ravi Sharma, Advocate
for respondent No.3 (in all petitions).

Mr. Jagdeep Singh, Advocate, for
Mr. K.S. Dadwal, Advocate
for respondent No.4.

VIKAS BAHL, J (ORAL)

1. Vide this common order, four writ petitions bearing CWP No.510 of 2021, CWP No.4665 of 2019, CWP No.2107 of 2022 and CWP No.4180 of 2021, are being disposed of. The facts are being taken from CWP-510-2021.

2. Challenge in CWP-510-2021 is to the order dated 06.03.2019 (Annexure P-19) passed by the Additional Chief Secretary, Medical Education & Research, Punjab-respondent No.2, adopted by Government Medical College, Amritsar-respondent No.7 and order dated 29.03.2019 (Annexure P-21) passed by the Government Medical College, Patiala-respondent No.6, vide which the petitioners have been asked to deposit tuition fee of Rs.3,22,102/-, which as per the case of the petitioners is in excess of what is required to be paid by them.

3. Learned counsel for the parties are ad idem that in similar matters in which the issues were identical i.e. CWP-5870-2018 titled as 'Harjot Mann and another Vs. State of Punjab and others' and other similar matters, a Co-ordinate Bench of this Court had disposed of the writ petitions, vide order dated 14.12.2022 and have jointly submitted that the present writ petitions be disposed of in the same terms.

4. The relevant portion of the said order dated 14.12.2022 is

reproduced as under:-

“The dispute arose because students admitted to the Chintpurni Medical College, Pathankot had to be transferred to various other Medical Colleges in the State of Punjab as renewal permission was not granted to the said institution for the academic year 2014-15. The Colleges to which the students have been transferred have demanded fee from the students. Some have paid the same whereas others have not. Some students have paid additional amounts to the Chintupurni Medical College for getting No Objection Certificate before their transfer. On account of these disputes, the students have been at the receiving end as they have not received their final degrees and other original certificates.

In the minutes of the meeting dated 28.03.2016 it had been recorded that money deposited by the Chintpurni Medical College with the Medical Council of India would be made available to the State of Punjab and all expenses would be defrayed therefrom. As noticed hereinabove a sum of Rs. 9.5 crores has been made available to the State of Punjab.

Accordingly, the present writ petitions are disposed of with the following directions:-

- (i) The Colleges whose dues have not been paid may make applications to the State of Punjab within 15 days from the date of receipt of certified copy of this order giving requisite particulars of their outstanding dues. The same shall be paid by the State of Punjab after due verification.*
- (ii) The students who have paid their dues to the respective Colleges would also make applications to the State of Punjab within the aforementioned period for reimbursement alongwith requisite proof. Reimbursement shall be done after due verification.*
- (iii) The students who have paid additional fee to the Chintpurni Medical College will also approach the State of Punjab with necessary proof and the said amount*

shall be reimbursed to them by the State after due verification. They may also approach within 15 days from the date of receipt of certified copy of this order.

(iv) The students shall also be paid stipend at par with other regular students for the period of their internship for which purpose also claims shall be made within 15 days from the date of receipt of certified copy of this order.

The process of verification shall be completed within 15 days thereafter and money shall be paid to the respective parties within one week thereafter. The requisite certificates of the students inclusive of final degrees, of not released, shall be released to them simultaneously.

To ensure that no delay is caused, all parties shall produce authentic proof alongwith their respective applications. In case of failure to do so, the cases would be segregated and dealt with after completion of the aforementioned process. All parties are directed to carry out their respective duties without any delay. Any default shall be dealt with very severely.

The writ petitions stand disposed of.

A photocopy of this order be placed on the files of other connected cases.”

It is submitted that the said order has already been complied with and has been implemented.

5. Accordingly, the present writ petitions are disposed of with the following directions:-

(i) The Colleges whose dues have not been paid may make applications to the State of Punjab within 15 days from the date of receipt of certified copy of this order giving requisite particulars of their outstanding dues. The same shall be paid by the State of Punjab after due verification.

(ii) The students who have paid their dues to the respective

Colleges would also make applications to the State of Punjab within the aforementioned period for reimbursement alongwith requisite proof. Reimbursement shall be done after due verification.

(iii) The students who have paid additional fee to the Chintpurni Medical College will also approach the State of Punjab with necessary proof and the said amount shall be reimbursed to them by the State after due verification. They may also approach within 15 days from the date of receipt of certified copy of this order.

(iv) The students shall also be paid stipend at par with other regular students for the period of their internship for which purpose also claims shall be made within 15 days from the date of receipt of certified copy of this order.

6. The process of verification shall be completed within 15 days thereafter and money shall be paid to the respective parties within one week thereafter. The requisite certificates of the students inclusive of final degrees, if not released, shall be released to them simultaneously.

7. To ensure that no delay is caused, all parties shall produce authentic proof alongwith their respective applications. In case of failure to do so, the cases would be segregated and dealt with after completion of the aforementioned process. All parties are directed to carry out their respective duties without any delay.

The writ petitions stand disposed of.

(VIKAS BAHL)
JUDGE

20.04.2023
D.Bansal

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