

263

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

CWP-2666-2022

Date of decision : 29.03.2023

Supreet Kaur

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Kulwinder Singh Rathour, Advocate for the petitioner.

Mr. Yadwinder S. Bhangu, AAG, Punjab
for respondent No.1.

Mr. Saurav K. Manchanda, Advocate
for respondent Nos.2 and 3.

Mr. Sahil Kumar, Advocate for
Mr. Nitin Kaushal, Advocate for respondent No.4.

VIKAS BAHL, J. (ORAL)

This is a Civil Writ Petition filed under Articles 226/227 of the Constitution of India for issuance of an appropriate writ, order or direction especially in the nature of mandamus directing respondent Nos.2 and 3 to return the original certificates and testimonials/documents of the petitioner which are stated to have been retained by the respondents.

On 02.03.2023, this Court had passed the following order:-

“Learned counsel for the petitioner has submitted that although, four original documents have been returned to the petitioner, but still the original matric certificate, NEET Admit Card and NEET Result Card have not been returned.

Learned counsel appearing on behalf of respondent No.4 prays for an adjournment to get instructions in the matter.

Adjourned to 29.03.2023.

To be taken up at 1.45 PM.”

Learned counsel for the petitioner has submitted that although, the petitioner has been given the Matric Certificate but till date has not been given the original Migration Certificate, original NEET Admit Card and original NEET Result Card.

Learned counsel for respondent Nos.2 and 3 has submitted that the said three documents are not in possession of respondent Nos.2 and 3 and the documents which were in possession have already been handed over to the petitioner. It is further submitted that as far as NEET Admit Card and NEET Result Card are concerned, the result is online and a copy of the same can be taken by the petitioner from the said source. It is contended that in case, other documents were in possession of respondent Nos.2 and 3, respondent Nos.2 and 3 would have handed over the same to the petitioner.

Learned counsel for the petitioner has submitted that the three original documents were also handed over to respondent Nos.2 and 3 and submits that in view of statement made by learned counsel for respondent Nos.2 and 3, he be permitted to withdraw the present writ petition with

liberty to institute appropriate proceedings for the loss/damage caused to the petitioner.

Learned counsel for respondent Nos.2 and 3 has submitted that even the balance fee has to be recovered from the petitioner.

Keeping in view the abovesaid facts and circumstances, the present Civil Writ Petition is dismissed as withdrawn with liberty to both the parties to institute proceedings, in accordance with law.

It is made clear that this Court has not opined on the merits of the case and it would be open to both the parties to raise all pleas, in accordance with law, in the proceedings sought to be initiated by them.

29.03.2023*Pawan***(VIKAS BAHL)
JUDGE****Whether speaking/reasoned:- Yes/No****Whether reportable:- Yes/No**