

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-10062-2023

Date of decision : 10.05.2023

Sonal Gaur

... Petitioner

Versus

Union of India and others

... Respondents

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr.Sudhanshu Sharma, Advocate for
Mr.Chander Shekhar, Advocate
for the petitioner.

Mr.Anil Chawla, Sr. Panel Counsel
for the respondent-UOI.

VIKAS BAHL, J.(ORAL)

1. This is a civil writ petition filed under Article 226 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondents to refund the fee amount of Rs.1,25,000/- deposited by the petitioner in the account of respondent no.2 for the first year course of DNB (OBST/GYNAE) along with interest from the date of intimation of changing the seat by the petitioner i.e., 27.04.2019 till the date of its actual payment.

2. Learned counsel for the petitioner has submitted that for the grievance raised in the present writ petition, a legal notice dated 31.10.2022 has been issued by counsel for the petitioner to the Executive Director, National Board of Examinations-respondent no.3 and respondent no.2 and has submitted that he would be satisfied in case respondent no.2 looks into

the legal notice dated 31.10.2022 and passes a speaking order and if after considering the same, respondent no.2 is of the opinion that the plea raised by the petitioner is meritorious then necessary action therefrom be taken as expeditiously as possible.

3. Keeping in view the above said facts and circumstances, the present petition is disposed of with a direction to respondent no.2 to consider the legal notice dated 31.10.2022 within a period of six weeks from the date of receipt of the certified copy of the present order and in case respondent no.2 is of the opinion that plea raised by the petitioner is meritorious, then necessary relief be granted to the petitioner as expeditiously as possible and in case respondent no.2 is of the opinion that the plea raised by the petitioner is not meritorious, then a speaking order be passed within the aforesaid period.

4. It is made clear that this Court has not opined on the merits of the case and respondent no.2 would consider the legal notice independently, in accordance with law.

(VIKAS BAHL)
JUDGE

May 10, 2023

Davinder Kumar

Whether speaking / reasoned
Whether reportable

Yes/No
Yes/No