

In the High Court of Punjab and Haryana, at Chandigarh

Civil Writ Petition No. 16536 of 2021

Date of Decision: 09.01.2023

Smriti Sidhana

... Petitioner(s)

Versus

Union of India and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Anil Kumar Garg, Advocate
for the petitioner(s).

None for the respondent No.1.

Mr. Charanpreet Singh, Assistant Advocate General,
Punjab, for the respondent No.2.

Mr. Nitin Kaushal, Advocate
for the respondent No.3 and 4.

Anil Kshetarpal, J.

1. The petitioner prays for issuance of a writ in the nature of certiorari to quash the provisional merit list prepared by the respondents for recruitment to the post of Speech Therapist. She claims that the respondents are not justified in preparing a joint provisional list for the post of Technician as well as Speech Therapist. It is claimed that the afore-referred posts were advertised separately, therefore, the joint provisional merit list is incorrect.

2. Mr. Nitin Kaushal, Advocate, representing the respondent No.3 and 4 submits that a separate merit list has been prepared for the post of Speech Therapist as well Technician.

3. The learned counsel representing the petitioner submits that the respondents have wrongly declared that the petitioner was not qualified to participate in the recruitment process. He submits that as per the decision of Rehabilitation Council of India dated 22.07.2020, the students of the 2016-17 batch, pursuing the Bachelor's Degree in Audiology & Speech Language Pathology, are required to be granted an exemption. The operative part of the circular dated 22.07.2020 reads as under:-

“2. Based on the expert's opinion and keeping in view of the present unprecedented COVID-19 pandemic situation & future of the students, the internship period beyond March 2020 due to lockdown for the students of 2016-17 batch undergoing BASLP, may be considered for exemption by the respective affiliating University as a one time measure.”

4. It is evident from the communication dated 29.07.2021 (Annexure P16) that Guru Gobind Singh Medical College, Faridkot, has refused to grant exemption. The recommendation made by the Rehabilitation Council of India is only advisory. The respective affiliated universities have only been requested to consider the cases for exemption.

5. Keeping in view the aforesaid facts, no ground is made out to issue the writ. Hence, the present writ petition is dismissed.

(Anil Kshetarpal)
Judge

January 09, 2023
“DK”

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