

2023:PHHC:103080-DB
IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-17289-2023 (O&M)
Date of decision: 09.08.2023

Aastha Chowdhry

.....Petitioner

Versus

Panjab University, Sector-14, Chandigarh, and others Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI
HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Aditya Grover, Advocate,
 Mr. Sainder Pal Singh, Advocate,
 Mr. Naveen Sihag, Advocate,
 for the petitioner.

ARUN PALLI, J. (Oral)

The petitioner prays for a Certiorari to quash the provisional merit list dated 28.07.2023 (P-7) of 'Jaj candidates' for counseling to BDS Course, 2023, issued by the Government Medical College & Hospital, Sector-32, Chandigarh (respondent No.2).

Learned counsel for the petitioner submits that as per the joint prospectus (page 30), out of 100 seats, two seats are reserved for the candidates from District Hoshiarpur, preferably of 'Jaj (Judge Community)' in Dr. Harvansh Singh Judge Institute of Dental Sciences & Hospital, Sector-25, Chandigarh. He submits that concededly, the petitioner does not belong to Jaj (Judge Community), but she hails from Hoshiarpur. Whereas, respondents No.4 and 5 ostensibly belong to Jaj (Judge Community), but there is nothing on record to conclusively establish, if they hail from Hoshiarpur or not. Thus, she is aggrieved by the selection of the private respondents, for she has scored 218 marks in the NEET examination, whereas, the private respondents have scored 130 and 181 marks, respectively. That being so, he submits that selection of the private respondents cannot be sustained. It is urged that prior to the institution of this petition, the petitioner had even served the authorities with a representation dated 03.08.2023 (P-8), qua her concerns and grievances, but to no avail.

Upon being served with the advance copy of the petition, Mr. Anil Mehta, learned Senior Standing Counsel, assisted by Mr. Sumeet Jain, learned Additional Standing Counsel, U.T., Chandigarh, is present in Court. He submits that let this petition be disposed of, at this stage, to enable the authorities to deal with the representation submitted by the petitioner. Further, if the petitioner so desires, she could even supplement her representation, by furnishing fresh material/documents, in support of her claim, within next two days. Whereafter, the competent authority shall consider the matter and pass appropriate orders thereon, in accordance with law, at the earliest, maximum within 10 days from today.

Learned counsel for the petitioner is agreeable to the course suggested by the learned counsel for the U.T., Chandigarh.

In the wake of the above, the petition is disposed of, in terms of the statements made by learned counsel for the parties. The matter being time sensitive, this Court is sanguine that the authorities shall deal with the concerns/grievances of the petitioner, at the earliest, and in any case, within the time indicated by the learned counsel for the U.T., Chandigarh.

Needless to assert that the competent authority shall pass a speaking order, in accordance with law, assigning reasons in support thereof.

(ARUN PALLI)
JUDGE

(JAGMOHAN BANSAL)
JUDGE

August 09, 2023

Ak Sharma

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