

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(118)

CWP-29149-2023

Date of decision: - 21.12.2023

T Tokuli Chishi and others

....Petitioners

Versus

Dental Council of India and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Ms. Shaveta Sanghi, Advocate
for the petitioners.

Mr. Manpreet Singh Longia, Advocate
for respondent No.1-DCI.

VIKAS BAHL, J. (ORAL)

1. This is a civil writ petition filed under Article 226/227 of the Constitution of India for issuance of a writ in the nature of certiorari to quash the impugned result dated 17.11.2023 (Annexure P-2) whereby admission of the petitioners have been cancelled.

2. Learned counsel for the petitioners has submitted that in the present case, the petitioners have already completed three years of BDS Course and the course is of four years in addition to one year compulsory rotatory paid internship and has prayed that the petitioners are only seeking one last opportunity for being permitted to sit in the examination of fourth year, failing which, they would suffer serious prejudice. It is further submitted that each of the petitioners have faced several

difficulties and it was on account of the said factors, they could not clear the BDS course within the prescribed period of 8 + 1 years. It is stated that certain other students belonging to the batch 2009-2010 have been granted the extra benefit. It is submitted that the petitioners would submit a detailed representation personally to the competent authority of respondent No.1-Dental Council of India, within a period of three days from today and in the said representation all the factors including the factor of hardship faced by the petitioners as well as persons belonging to 2009-2010 batch who have been permitted to reappear in the period beyond nine years and other factors would be mentioned. It is prayed that in view of the facts and circumstances of the present case and also in view of the fact that there was covid pandemic for a period of almost two years, case of the petitioners be considered sympathetically. It is further prayed that since the exams are tentatively to start from 08.01.2024, thus, it is prayed that competent authority of respondent No.1 be directed to consider and decide the said representation on or before 04.01.2024.

3. Learned counsel appearing on behalf of respondent No.1 has submitted that in case the representation given by the petitioners personally to competent authority of respondent No.1, then, competent authority of respondent No.1 would take a decision on the same on or before 04.01.2024.

4. Keeping in view the above-said facts and circumstances, the present petition is disposed of in the following terms: -

- (i) It would be open to the petitioners to give a detailed representation to the competent authority of respondent No.1 up to 24.12.2023 and personally hand over the same to

competent authority on or before the said date.

- (ii) In case of the petitioners doing so, the competent authority of respondent No.1 is directed to consider the said representation and take a final decision on the same on or before 04.01.2024.
- (iii) The competent authority of respondent No.1 would take into consideration all the circumstances, as detailed in the said representation and in case the pleas raised by the petitioners in the said representation are found to be meritorious, then, the necessary directions in accordance with law be issued immediately to respondent No.2-University.

December 21, 2023
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No