

CWP-14481-2024 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

201

CWP-14481-2024 (O&M)
Date of decision:- 31.08.2024

Dr. Aakash Dhussa

...Petitioner(s)

Versus

State of Punjab and others

...Respondent(s)

CORAM: **HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE**
 HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Harinder Sharma, Advocate,
 for the petitioner.

Mr. Nandan Jindal, Advocate and
Mr. Tushar Sabherwal, Advocate,
for respondent No.3.

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SHEEL NAGU, C.J. (ORAL)
CM-11217-CWP-2024

Application is allowed.
Reply filed on behalf of respondents No.3 and 4 is taken on
record.

Main case

The petitioner is presently pursuing the three years' course of MS Orthopedics to which he was admitted in August, 2023.

Grievance of the petitioner is that he wants to apply for the employment as Medical Officer in the Defence Services for which the original testimonials of the academic career of the petitioner are required, which are in possession of respondent No.4-Institute and are not being released on account of the fact that the fee prescribed by the college in terms of the following table has not been paid.

Sr. No.	Name of Course	Fee per year (in Rs.)	NRI seats fee for full course in US\$
1.	MD/MS (Clinical)	6,50,000/-	1,25,000/-
2.	MD/MS (Basic Sciences)	2,60,000/-	20,000/-
3.	PG Diploma	3,90,000/-	30,000/-,
4.	MDS	5,85,000/-	1,00,000/-

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Learned counsel for the petitioner submits that an amount of Rs.6,50,000/-has already been deposited at the time of admission to the said course and bank guarantee to cover the tuition fee for the remaining two years i.e. Rs.6,50,000/- for the second year and Rs.6,50,000/- for the third year as prescribed by the Government for the private institutions, has already been furnished.

Learned counsel for the respondent-University submits that until and unless the fee as prescribed by the respondent-Institute is not deposited, he has instructions to object to the prayer made in the petition.

After having detailed discussion, parties are at consensus that if the petitioner as well as his father gives an undertaking that as and when CWP No.13688 of 2023, titled as ‘Adesh University and another Vs. State of Punjab and others’, where challenge has been made to the recommendations of the Fee Regulatory Committee is decided, that would bind them to the extent that whatever fee is ultimately decided by this Court in the said writ petition, the same would be deposited by them, then the testimonials as withheld by the respondents No.3 and 4 shall be released.

In view of the consensus arrived at between the parties, this Court disposes of this petition with direction that in case the petitioner as well his father furnishes a written undertaking that they would abide by the fee structures as and when decided by this Court in CWP No.13688 of 2023, respondents No.3 and 4 are directed to release all the original testimonials of the petitioner right from the Class 10th to MBBS Degree, within one week from the date of production of copy of this order.

Since main case itself has been disposed of, no orders are required to be passed in CM-13094-CWP-2024.

(SHEEL NAGU)

CHIEF JUSTICE

(ANIL KSHETARPAL)

JUDGE

31.08.2024

monika

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