



CWP-14587-2024

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**102 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP-14587-2024

Date of Decision: 20.06.2024

Jasleen Kaur

..... Petitioner

Versus

State of Punjab and others

..... Respondents

**CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ
HON'BLE MS. JUSTICE KIRTI SINGH**

Present: Barrister Rubal Garg, for the petitioner.

Rajesh Bhardwaj, J. (ORAL)

1. Prayer in the present petition is for quashing/recalling the order dated 21.05.2024 (Annexure P-11) passed by Dental Council of India (respondent No.3) arbitrarily without giving a fair chance/audience to the petitioner. Further prayer has been made to direct respondent No.5 to let the petitioner continue the Rotatory Internship which respondent No.5 has arbitrarily stopped the petitioner from attending without giving any notice or intimation.

2. Learned counsel for the petitioner has submitted that the petitioner has completed her BDS in December, 2023, whereas, result was declared on 16.04.2024. He submits that as per guidelines of respondent No.2, the diploma and internship would be completed within 9 years. He submits that as per the stand of respondent No.2, the period has gone beyond 9 years. He submits that the petitioner was granted mercy chance and thus, after having been granted the same, she completed her BDS exam in 8½ years. He submits that on account of the same, the period as



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calculated by respondent No.2 is beyond 9 years, for which the petitioner is not at fault. He submits that the petitioner was pursuing her internship with respondent No.5, however, the same has been terminated on the ground that the petitioner has crossed the period of 9 years. He has drawn the attention of this Court to the representation dated 06.06.2024 (Annexure P-14) and has submitted that till date no call has been taken by respondent No.3 on the representation sent by respondent No.5. He further submits that the petitioner would suffer an irreparable loss and injury, if the impugned order is not recalled.

3. Notice of motion.

4. On asking of the Court, Mr. Rajeev K. Takkar, Deputy Advocate General, Punjab accepts notice on behalf of respondent No.1.

5. Mr. Manpreet Singh Longia, Advocate, accepts notice on behalf of respondent No.3-DCI and opposes the submissions made by counsel for the petitioner and submits that in view of Annexure P-10, delay is on the part of the petitioner. He has, *inter alia*, submitted that University has already sent a representation to respondent No.3 for guiding further in the case of the petitioner as the period has crossed beyond 9 years.

6. After hearing counsel for the parties and perusing the record, it is apparent that the petitioner had completed her BDS in 8½ years as admittedly she was granted mercy chance for clearing the exam. Thereafter, she pursued her internship with respondent No.5, however, the same has been terminated by virtue of the impugned order on the ground that the period taken is beyond 9 years. It is also apparent from the record that representation dated 06.06.2024 has been sent by the University to

respondent No.3, which is pending consideration before it. Thus, to meet the ends of justice, respondent No.3 is directed to decide the representation dated 06.06.2024 (Annexure P-14) within a period of 15 days from the date of receipt of copy of this order and the decision taken thereon be communicated to the petitioner as well as to the University. Till then, the impugned order dated 21.05.2024 (Annexure P-11) be kept in abeyance. Respondent-University would take necessary action on receiving the decision taken by respondent No.3 on the representation. The petitioner would be at liberty to pursue her remedy as per law in case any further cause of action accrues to her.

7. Disposed of in above mentioned terms.

(RAJESH BHARDWAJ)
JUDGE

(KIRTI SINGH)
JUDGE

20.06.2024

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Whether Speaking/Reasoned :

Whether Reportable :

Yes/No

Yes/No