



CWP-23490-2023

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

CWP-23490-2023
Date of Decision: 24.09.2024

Ramesh Kumar

...Petitioner

Vs.

State of Haryana and others

...Respondents

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

Present Mr. Sharanjeet Singh Bajwa, Advocate
for the petitioner.

Mr. Deepak Balyan, Addl. A. G. Haryana.

Mr. Naveen S. Bhardwaj, Advocate
for respondent Nos.3 and 4.

Sheel Nagu, CJ.(Oral)

1. The only controversy in the present case is “as to whether BCA/Other Backward Class Category certificate (hereinafter referred to as ‘OBC Certificate’) submitted by the petitioner on 10.10.2023, after the cut off date i.e 08.10.2023, can be found to be valid for the purpose of regularizing his admission in the M.D (Anaesthesiology) course of three years to which petitioner was admitted pursuant to the interim order passed by this Court on 20.10.2023?”
2. Learned counsel for respondent no. 2 does not dispute that BCA/OBC Certificate was submitted by the petitioner on 10.10.2023.
3. It is also not disputed by learned counsel for rival parties that the petitioner applied under the BCA/OBC category (non-creamy layer).

4. In view of the decision of the Apex Court in **Ram Kumar Gijroya vs. Delhi Subordinate Services Selection Board & Another’ 2016 (4) SCC 754**, this Court does not find any difficulty in regularizing the admission of the petitioner made pursuant to an interim order dated 20.10.2023. Accordingly, with the aforesaid observations, the writ petition stands disposed of.

5. However, it is made clear that since this order has been passed in the peculiar facts and circumstances of the case, where admission of the petitioner was made pursuant to an interim order and the petitioner has already completed about one out of three years MD (Anaesthesiology) course and petitioner does not suffer deficiency in eligibility, as a consequence, this order shall not be treated as a precedent for other similarly situated persons.

(SHEEL NAGU)
CHIEF JUSTICE

(ANIL KSHETARPAL)
JUDGE

September 24, 2024
archana

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