



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

CWP-24023-2023 (O&M)

Date of decision: 03.09.2024

Amit Sharma

....Petitioner

Versus

State of Haryana and others

..Respondents

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

Present:- Mr. Akshay Jindal, Advocate for the petitioner

Mr. Deepak Baliyan, Addl. AG, Haryana

Mr. Naveen S Bhardwaj, Advocate for respondent no.2

SHEEL NAGU, CHIEF JUSTICE (Oral)

1. The only controversy in the present case is as to whether Other Backward Class Category certificate (hereinafter referred to as 'OBC Certificate') submitted by the petitioner on 11.10.2023, 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 (Medicine) course of three years to which he has been admitted pursuant to an interim order passed by this Court on 20.10.2023.

2. Learned counsel for respondent no.2 does not dispute the fact that OBC Certificate submitted by the petitioner on 11.10.2023, after the cut off date i.e. 08.10.2023, was in order.

3. It is also not disputed by learned counsel for rival parties that the petitioner applied under the 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 (Medicine) course, as a consequence, this order shall not be treated as a precedent for other similarly situated persons.

(SHEEL NAGU)
CHIEF JUSTICE

(ANIL KSHETARPAL)
JUDGE

03.09.2024

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No