



CWP-19069-2025

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

CWP-19069-2025**Reserved on: 11.07.2025****Pronounced on: 27.08.2025**

CARMEL EMMANUEL

....Petitioner

Versus

UNION TERRITORY OF CHANDIGARH AND OTHERS

...Respondents

**CORAM: HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE
HON'BLE MR. JUSTICE SANJIV BERRY**

Present: Mr. Karun Bansal, Advocate (Arguing counsel)
Ms. Bhavika Bansal, Advocate
Mr. Gurpreet Singh, Advocate
for the petitioner.

Mr. Sumeet Jain, Additional Standing Counsel,
Mr. Shubham Chaudhary, Advocate for U.T. Chandigarh.

SHEEL NAGU, C.J.

1. The instant petition filed under article 226 of the Constitution seeks issuance of a direction to act upon the representation dated 04.07.2025 (Annexure P-19) preferred by the petitioner for upgrading the seat allotted to him from MS (General Surgery) to MS (Orthopedics) pursuant to the counselling process.

2. Counsel for the petitioner contends that, after the seat has been allotted exercising his choice in MD (Radiotherapy) in the 1st schedule round, petitioner in terms of the instructions of schedule for admission, surrendered his seat and thereafter, in the 2nd round, petitioner was allotted seat in



Anesthesiology.

2.1 Ld. counsel for the petitioner has raised in his grounds that special round of counselling is being conducted, after the pronouncement of the judgement of Apex court in the case of ***Dr. Tanvi Behl vs. Shrey Goel and others in Civil Appeal No. 9289 of 2019, decided on 29/01/2025*** and explicitly said no stray round would be held.

2.2 Subsequently, petitioner once again surrendered his seat of Anesthesiology and participated in special counselling process, wherein he indicated MS (Orthopedics) as his first preference and MS (General Surgery) as second. Pursuant thereto, the petitioner has been allocated MS (General Surgery).

2.3 It is also contended that one Banuprakash KM was allotted seat under EWS category in MS (Orthopedics) but failed to join between the prescribed period of 20.06.2025 to 25.06.2025 and therefore, the said seat is lying vacant which ought to be given to the petitioner.

3. We have heard learned counsel for rival parties and are of the considered opinion that when classes in the course of post-graduation in medical science have commenced in December 2024/January 2025 as per schedule issued by Medical Counselling Committee, it is too late in the day to allow the prayer of the petitioner, as that would lead to unsettling several settled matters of academics.

3.1 Specially in postgraduate medical studies, the timeline and schedule for admission prescribed by the institution is sacrosanct and anyone coming late or missing the bus cannot be helped in the given facts and circumstances, as has been held by Apex court in ***Parshvanath Charitable Trust and others vs. All India Council for Technical Education and others, (2013) 3 SCC 385***.



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4. Consequently, this court declines interference and dismisses the present petition without cost.

(SHEEL NAGU)
CHIEF JUSTICE

27.08.2025
mohit goyal

(SANJIV BERRY)
JUDGE

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