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

Date of Decision : 23-01-2025

CWP-28442-2024 (O&M)

DR. RAHUL BAJIRAO KADAM**.....Petitioner****VERSUS****UNION OF INDIA AND OTHERS****.....Respondent(s)****CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

Present: Mr. Shashank Shekhar, Advocate and
Ms. Purva Mathur, Advocate for the petitioner.

Mr. Saurabh Girdhar, AAG Haryana.

Mr. Vipul Aggarwal, Sr. Panel Counsel for
Respondent-UIO .

Mr. Nilesh Bhardwaj, Advocate
for the University.

HARSIMRAN SINGH SETHI, J. (Oral)

1. In the present petition, the grievance being raised by the petitioner is that his original certificates/documents which were submitted to the University, have not been returned back on the ground that there is a bond dated 15.02.2024 which has been filled up by the petitioner till the bond money is reimbursed, the documents will not be released.

2. Learned counsel for the petitioner submits that the said action of the respondent is contrary to the settled principle of law settled by the Co-ordinate Bench of this Court in CWP No.10671 of 2022 titled “

Monika Vs. PT. B.D Sharma, University of Health Sciences, Rohtak and others”.

3. Learned counsel appearing on behalf of the respondent-No.2-University submits that once the bond was given, it is duty of the petitioner to fulfil the terms and conditions of the bond agreement executed on 15.02.2024.

4. Learned counsel for the respondent No.2-University further submits that in order to get back the original certificates, a right is being claimed whereas, the responsibility to pay the bond money is being ignored by the petitioner, which is arbitrary and illegal and reliance is being placed upon the judgment of the Single Bench of the Delhi High Court in CWP (Civil) 9042 of 2022 titled ***“Dr. Prabhat Kumar Singla Vs. Employees State Insurance Corporation and ors.”***, decided on 23.09.2024, where the candidate of super-speciality program are seeking the benefit of return of their documents, it has been held that they have to return the bond money as agreed on the bond agreement in order to get their documents back hence, though the documents of the petitioner is being returned but the petitioner be also directed to comply with the bond money.

5. Learned counsel for the petitioner submits that he has received the documents today in the Court and submits that the petitioner will file the reply within a period of 21 days from today to the claim of the University qua the bond money being claimed by the respondent No.2-University and whatever the decision will be arrived at on the basis of the said proceedings, the same will be complied with by the petitioner subject to availing of their appropriate remedy in case they are aggrieved in any

manner qua any decision of the respondent No.2- University qua the reimbursement of the bond money.

6. Learned counsel for the respondent No.2-University submits that any objection raised in the reply to be filled by the petitioner qua the claim of the university to recover the bond money, the same will be considered with open mind and an appropriate order on the said aspect will be passed and the said order will be implemented subject to any remedy availed by the petitioner qua the said order..

7. Keeping in view the above, the present petition is disposed of with liberty to the parties concerned to decide the issue of recovery of bond money from the petitioner keeping in view the statement which has been recorded hereinbefore.

8. Pending application, if any, also stands disposed of.

23-01-2025
Sapna Goyal

(HARSIMRAN SINGH SETHI)
JUDGE

NOTE: Whether speaking: YES
Whether reportable: NO