

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

117

CWP-28475-2025

Reserved on: 03.11.2025

Pronounced on: 29.11.2025

Uploaded on: 29.11.2025

MIDHUN VARGHESE SIMON

-PETITIONER

V/S

STATE OF HARYANA AND OTHERS

-RESPONDENTS

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Rubal Garg, Advocate
for the petitioner.

Mr. Bhupender Singh, Addl. A.G., Haryana.

Mr. H.S. Gill, Advocate
for the respondent No.2.

Mr. Anshul Jain, Advocate
for the respondent No.3.

Mr. Manpreet Singh Longia, Advocate
for the respondent No.4,

KULDEEP TIWARI, J. (ORAL)

1. The instant writ petition impugns the order dated 09.09.2025 (Annexure P-12), whereby the respondent No.3- Sudha Rustagi College of Dental Sciences and Research (hereinafter referred to as “College”) has declared the petitioner ineligible to continue his Rotatory Internship from 30.09.2025, as per the rules and regulations of the respondent No.4- Dental Council of India (hereinafter referred to as “D.C.I.”). The impugned order has stemmed from the petitioner remaining unable to

complete his Bachelor of Dental Surgery course (hereinafter referred to as “B.D.S. course”) within the stipulated period of 09 years, including 01 year Compulsory Rotatory Paid Internship.

2. Assailing the impugned administrative order, learned counsel for the petitioner contends that the petitioner falls short by merely three months in completing the 01 year Compulsory Rotatory Paid Internship. It is submitted that the delay is not due to any fault of the petitioner, but rather attributable to the respondent No. 2- Pt. B.D. Sharma University of Health Sciences, Rohtak (hereinafter referred to as “University”), which conducted the examinations belatedly and announced the results after an undue interval. Therefore, the petitioner, who made all genuine efforts to complete the B.D.S. course within the stipulated period of 09 years, should not suffer prejudice due to the University’s failure to timely schedule examinations and declare results.

3. Conversely, learned counsel for the respondent No.2- University contends that no delay is attributable to the University. It is submitted that the petitioner had to re-appear in nearly all B.D.S. examinations and was afforded a total of 15 opportunities to clear them. Since passing these examinations is a precondition to undertaking the Rotatory Internship, the petitioner’s inability to clear them within the stipulated timeframe renders him ineligible to continue the internship.

4. Refuting the claim of the petitioner, learned counsel for the respondent No.4- D.C.I. submits that the B.D.S. Course Regulations, 2007 (hereinafter referred to as “Regulations of 2007”), as framed and notified

by the D.C.I., unequivocally stipulate that a student who does not clear the B.D.S. Course in all subjects within 09 years from the date of admission, inclusive of the 01 year Compulsory Rotatory Paid Internship, is liable to be discharged from the course. It is pointed out that although the petitioner has not challenged the apposite Regulation contained in the Regulations of 2007, the constitutional validity thereof has already been tested by a Division Bench of this Court in ***CWP-17801-2024***, titled ***“Jasleen Kaur Vs. State of Punjab and Others”***, ***Decided on: 31.07.2024***, and the same has been held to be *intra vires*. Although the decision rendered in Jasleen Kaur’s case (*supra*) has been assailed before the Hon’ble Supreme Court, the same is pending consideration. Consequently, the petitioner cannot claim entitlement to any extension beyond the maximum permissible period of 09 years.

5. To lend vigour to his submissions, learned counsel for the respondent No.4- D.C.I. also places reliance upon the ***verdict dated 12.08.2024***, drawn by a LPA Bench of this Court in ***LPA-1895-2024***, wherein also, no extension was granted for completion of the Compulsory Rotatory Internship.

6. This Court has heard the submissions advanced by learned counsel for the contesting litigants and also made a studied survey of the record.

7. The fulcrum of the present case is the Regulations of 2007, wherein becomes engraved the timeframe of 09 years for completion of B.D.S. Course by students. The Regulations of 2007 were notified on

27.04.2015, i.e. prior to admission of the petitioner in the B.D.S. course, and thus fully govern the petitioner’s case. The relevant Regulation is extracted hereunder:-

“Any student who does not clear the BDS Course in all the subjects within a period of 9 years, including one year Compulsory Rotatory paid Internship from the date of admission shall be discharged from the course.”

8. The constitutional vires of the hereinabove extracted Regulation has already been tested and affirmed by a Division Bench of this Court in *Jasleen Kaur’s case (supra)*. Although the verdict of the Division Bench has been assailed before the Hon’ble Supreme Court, it has been pending consideration and it has neither been stayed nor set aside. Therefore, in the backdrop of the above legal position, this Court now needs to examine whether the delay in completion of the B.D.S. Course is attributable solely to the petitioner, or whether any part of the responsibility lies with the University, as alleged.

9. The schedule of annual examinations and supplementary examinations appertaining to the B.D.S. course for the sessions 2017-18 to 2024-25 has been supplied to this Court by learned counsel for the respondent No.2- University by annexing it as Annexure R-2/1 with his reply dated 30.10.2025. The relevant schedule is extracted hereunder:-

Sr. No.	University Schedule	Class	Annual Exam Schedule provided by Dean, Faculty of Dental Sciences, Rohtak	Conducted in the month	Result Date	Supple. Exam Schedule provided by Dean, Faculty of Dental Sciences, Rohtak	Conducted in the month
1	2017-18	BDS 1 st	August 2017	August	28.12.2017	November	Feb. 2018

		Year		2017	R-BD01 BD02	, 2017	
2	2018-19	BDS Year 2 nd	July 2018	August 2018	31.01.2019 R-BD04 BD05 BD06 BD07 BD08	Nov. 2018	March 2019
3	2019-20	BDS Year 2 nd	July 2019	August 2019	18.11.2019 R-BD05 BD06	Nov. 2019	Jan. 2020
4	2020-21	BDS Year 2 nd	July/Aug 2020	October 2020	11.12.2020 481/800		
5	2020-21	BDS Year 3 rd	----			Dec. 2020	Jan. 2021
6	2021-22	BDS Year 3 rd	July 2021	September 2021	09.11.2021 R-BD11	Dec. 2021	Feb. 2022
7	2022-23	BDS Year 4 th	August 2022	August 2022	07.11.2022 R-BD12 BD17 BD18 BD19	Dec. 2022	Dec. 2022
8	2023-24	BDS Year 4 th	July 2023	July 2023	16.11.2023 R-BD18	Nov. 2023	Jan. 2024
9	2024-25	BDS Year 4 th	Sept. 2024	October 2024	24.12.2024 893/1600		

10. A close scrutiny of the hereinabove extracted schedule makes it vividly apparent that, for the session 2024-25, the annual examinations for the B.D.S. course 4th year were scheduled for September, 2024, but were actually conducted in October, 2024 and the result was declared on 24.12.2024. Conversely, for the previous session 2023-24, the annual examinations for the B.D.S. course 4th year were conducted on schedule in July 2023 and result was declared on 16.11.2023.

11. At this juncture, it is deemed imperative to allude also to the time period consumed by the petitioner in clearing his B.D.S. course examinations, which is as under:-

“30.09.2016 : Admission to B.D.S. Course
03.04.2018 : Cleared 1st Year
11.12.2020 : Cleared 2nd Year
25.04.2022 : Cleared 3rd Year

29.09.2024 : 8 years period lapsed
24.12.2024 : Cleared 4th year
01.01.2025 : Internship commenced.”

12. From the above excerpts, it is evident that the petitioner’s eight-year period expired on 29.09.2024. Had his final year examinations been held in July, 2024 and the result was declared within a reasonable period, the petitioner would have been able to commence his 01 year Compulsory Rotatory Paid Internship by September, 2024 and complete it by September 2025, well within the stipulated nine years.

13. This Court is of the opinion that adopting a mechanical and strict approach would gravely prejudice the petitioner’s academic prospects, especially when he has already expended substantial effort and time in completing his B.D.S. course examinations. The failure of the respondent No.2- University to adhere to an appropriate examination schedule cannot be allowed to jeopardize the petitioner’s career or future professional prospects.

14. In summa, the **instant writ petition is allowed** and the **impugned order is set aside**. The petitioner is permitted to complete the remaining period of his 01 year Compulsory Rotatory Paid Internship, of which he was short by only three months at the time of issuance of the impugned order.

November 29, 2025
devinder

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No