

CWP-21134-2014 (O&M) and other connected cases

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2026:PHHC:011566-DB



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

Date of decision: 27.01.2026

1. **CWP-21134-2014 (O&M)**

...Petitioners

Yogesh Kumar and another

Vs.

**Gold Field Institute of Medical Sciences and Research
and others**

...Respondents

2. CWP-21524-2014 (O&M)

Apurva Yadav **...Petitioner**

Vs.

Directorate of Medical Education & Research and others ...Respondents

3. **CWP-25180-2014 (O&M)**

Shikha **...Petitioner**

Vs.

Directorate of Medical Education & Research and others ...Respondents

4. CWP-21199-2014 (O&M)

Deepshikha **...Petitioner**

Vs.

Medical Education & Research Haryana and others ...Respondents

5. **CWP-25190-2014 (O&M)**

Renu ...Petitioner

Vs.

Medical Education & Research Haryana and others ...Respondents



**CORAM: HON'BLE MR. JUSTICE ASHWANI KUMAR MISHRA
HON'BLE MR. JUSTICE ROHIT KAPOOR**

Present: Mr. Kshitij Sharma, Sr. Advocate with
Mr. Shubhkarman Singh Gill, Advocate
for the petitioners in CWP-21134-2014, CWP-21524-2014 and
CWP-25180-2014.

None for the petitioners in CWP-21199-2014 and
CWP-25190-2014.

Mr. Nitin Kaushal, Addl. A.G., Haryana.

Mr. D.S. Patwalia, Sr. Advocate with
Ms. Sehar Navjeet Singh Sandhu, Advocate,
for respondent No.2 in CWP-21134-2014.

Mr. Jashan Singh Sekhon, Advocate
Mr. Shiv Kumar, Advocate
for respondents No. 4 and 5 in CWP-25180-2014 and
for respondents No. 5 and 6 in CWP-21524-2014.

ASHWANI KUMAR MISHRA, J. (Oral)

1. These writ petitions were filed in the year 2014 with the prayer to command the respondents to admit the petitioners as per their merit list in Goldfield Medical Institute, Ballabgarh, District Faridabad. The prayer made was also to allow the petitioners to join classes, subject to the outcome of the present writ petition.

2. Though, the writ petitions were entertained, but no interim protection was granted. The academic session in which the petitioners sought admission expired long ago. The writ petition, however, has remained pending on the prayer made by the petitioners for grant of appropriate compensation on account of the fact that, in certain inquiries, it was found that the process of



admission was not transparent and was flawed. Certain communications by the respondents acknowledging such facts have been pressed.

3. On the previous occasion, when the matter was heard, we passed the following orders:-

"The petitioners in this bunch of writ petitions seek a direction to the State to compensate them for the wrongful act of the private management in denying them admission despite having adequate merit.

A report of the Director General dated 18.05.2015 has been relied upon which holds that the admission process was flawed. Reliance is placed upon certain judgment of Hon'ble Supreme Court to state that in such circumstances, the State would be liable to compensate the petitioners particularly as an Officer of the State was otherwise required to be deputed to supervise the admission process. Before we proceed to examine the matter, certain essential facts would require consideration.

It is undisputed that in the year 2014 when the admission process was undertaken, the College concerned was being managed by a Committee of Management consisting of certain individuals. The question which will require examination in the facts of the present case would be:

(i) as to whether any person lower in merit to petitioners has been admitted ignoring the claim of the petitioners, herein;

(ii) if that be so, who was the person at fault for having denied claim of the petitioner and in what manner, the person responsible has to be dealt with.



The report of the Director although indicates the admission process to be flawed but is silent with regard to the actual facts, which would require determination before the claim of the petitioners can succeed. circumstances, we call upon the parties to address the Court on the factual aspects so that the grievance of the petitioners could be examined in correct perspective and persons responsible for causing loss is then held accountable. Stand of the Committee of the Management managing the College then will also require consideration in order to adjudicate the issues.

At this stage, we are informed by Mr. Arjun Pratap Atma Ram, Advocate that the Committee of the Management of the Institution is not a party before this Court. Whether any relief can be granted to the petitioner in the absence of the Management would also be an aspect, which is left open for consideration on the next date of hearing.

In the light of observations made above, we adjourn the matter to 30.09.2025, in order to enable learned counsels to assist the court."

4. The matter has been heard at some length. From the contentions advanced on behalf of the parties, it is apparent that there is no allegation that, while offering admission, any of the persons provisionally shortlisted for admission, has been denied admission. The grievance is with regard to the admissions offered from the waiting list. It is the case of the petitioners that they stood higher in merit than the candidates who were actually offered admission from the waiting list.

5. From the facts placed on record, only this much is admitted that the admission process lacked transparency. To what extend prejudice has been



caused to the petitioners in the matter is not an aspect on which any factual ascertainment has been made. Before we proceed to examine the claim of petitioners for compensation, this Court would have to come to a definite conclusion that, at the stage of counselling for admission from the waiting list, the petitioners were present and that their claim was wrongly ignored in order to extend admission to persons lower in merit.

6. Facts for arriving at conclusion of the kind required to grant relief of compensation are disputed. Considering the fact that almost 11 years have gone by, we are not inclined to direct any further investigation of facts so as to determine the questions necessary for establishing a right in favour of petitioners to receive compensation.

7. That being the case, we are not inclined to proceed any further in the matter, at this late stage.

8. The writ petitions, accordingly, are consigned to records.

9. Pending application(s), if any, stand(s) disposed of.

(ASHWANI KUMAR MISHRA)
JUDGE

(ROHIT KAPOOR)
JUDGE

27.01.2026

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Whether speaking/reasoned :
Whether Reportable :

Yes
Yes

No
No