



**CWP-20494-2020 (O&M) and
CWP-2077-2021 (O&M)**

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

(258)

Date of Decision : 18.03.2026

1. CWP-20494-2020 (O&M)

Dheeraj Sahay and others

...Petitioners

Versus

Union of India and others

...Respondents

2. CWP-2077-2021 (O&M)

Dr. Vineet and others

...Petitioners

Versus

Union of India and others

...Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. P.S. Miglani, Advocate and
Mr. Ashok Bhardwaj, Advocate
for the petitioner(s) in both the cases.

Mr. Arun Gosain, Sr. Govt. Counsel with
Mr. Ramandeep Singh Sandhu, Advocate
for respondent No.1-Union of India, in both the cases.

Mr. Parveen Mehta, Addl. AG, Haryana for respondent No.2.

Mr. Angel Sharma, Advocate
for respondent No.3-CCH, in both the cases.

Ms. Jaskirat Kaur, Advocate for
Mr. Jagbir Singh, Advocate
for respondent No.4-University, in both the cases.

Mr. G.S. Attariwala, Sr. Advocate with
Mr. Vansh Chawla, Advocate
for respondent No.5-College, in both the cases.

Mr. Tejinder Pal Singh Walia, AAG, Punjab
for respondent No.6 in CWP-2077-2021.



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KULDEEP TIWARI, J. (ORAL)

1. Both the instant writ petition(s) are amenable to be decided together, as the common issue arises for consideration, and therefore, with the consent of learned counsels for the parties concerned, the same are taken up together for adjudication.

2. This Court, vide order dated 19.12.2025, had passed the hereinafter extracted order, upon the instant writ petition(s) :-

“1. The costs of ₹10,000/-, as imposed by this Court vide order dated 05.12.2025, have been duly deposited by the petitioners, and receipt thereof has been furnished by learned counsel for the petitioners.

2. The petitioners, who secured admission to the MD (Homeopathy) course for the academic session 2018–19 in respondent No.5- College, have approached this Court seeking directions to the respondent(s) for their transfer to any other recognized Homeopathic Medical College in Punjab/Chandigarh.

3. The present writ petitions were instituted in the years 2020 and 2021. At this stage, the only surviving issue requiring adjudication is “whether the petitioners are entitled to a refund of the fee deposited with respondent No.5-College”. Earlier, learned counsel appearing for respondent No.5 had submitted that the College was willing to refund 25% of the firstyear fee deposited by each petitioner. Pursuant thereto, a Co-ordinate Bench of this Court, vide order dated 17.09.2024, appointed a mediator to facilitate an amicable resolution of the dispute, and the mediator’s fee was fixed at ₹1,00,000/-, payable by the College.

4. It has been brought to the notice of this Court that the mediator so appointed, except on one occasion, failed to respond to communications and did not appear before this



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Court to submit a mediation report. Consequently, this Court is of the view that the mediation process initiated pursuant to the order dated 17.09.2024 has not yielded any fruitful outcome.

5. Accordingly, with the consent of both parties, the matter is referred to the Mediation and Conciliation Centre of this Court to explore the possibility of an amicable settlement in respect of the dispute relating to the refund of fees deposited by the petitioners with respondent No.5-College.

6. Learned counsel for the petitioners submits that Dr. Dheeraj Sahay shall represent all the petitioners before the Mediation and Conciliation Centre of this Court. Learned senior counsel appearing for respondent No.5 submits that a duly authorized and competent representative of the College, vested with the authority to take decisions on behalf of the College, shall appear for the mediation proceedings.

7. The parties are directed to appear before the Mediation and Conciliation Centre of this Court on 09.01.2026.

8. List on 18.03.2026, awaiting the outcome of the mediation proceedings.

9. A photocopy of this order be placed on file of connected case.”

3. In deference to the directions (supra), the parties concerned appeared before the Mediation and Conciliation Centre of this Court, and efforts of the Mediator yielded fruit. Report from the Mediation Centre, in this regard has been received, and is attached with the file as ‘Flag-A’. The same is taken on record.

4. As per the mediation report, a compromise settlement/agreement dated 27.02.2026, has been executed between both the parties concerned. The



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relevant terms and conditions, as embodied in Paragraph 6 of the settlement/agreement (supra), are extracted hereinafter :-

“6. That both the parties have decided to compromise the matter on the following terms and conditions:-

a) That it is agreed between the parties that respondent No.5-J.R. Kissan Homeopathic Medical College and Hospital Old Sunderpur Road, Near Jind Bypass, Rohtak, Haryana shall refund the 75% of the total amount received from each petitioner(s) in both the above cases on the basis of available record with the college-Respondent No.5 and petitioners in both the cases.

b) It is also agreed between the parties that the petitioners in the both cases shall not claim refund of the registration fee deposited by them with the respondent No.5-College.

c) The aforesaid amount shall be paid by respondent No.5 to the petitioners in both the cases by separate cheques in their names in the following manner:-

(i) 50% of the amount as mentioned above shall be paid by respondent No.5-College on the date fixed before the Hon'ble Court to each of the petitioners in both cases as per their entitlement as mentioned above.

(ii) The balance 50% amount shall be paid by the respondent No.5- College to the petitioners in both the cases through post-dated cheques on the date fixed before the Hon'ble Court. The post-dated cheques will be dated 30.06.2026.

The aforesaid cheques shall be collected by Dr. Dheeraj Sahay in the Hon'ble Court on behalf of all the petitioners.

d) That after the payment/receipt of the above cheques, all the disputes between the petitioners and respondent No.5 shall be finally settled and this shall be full and final



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settlement between the petitioners and respondent No.5 towards all claims.

(e) That both the parties shall withdraw all the Civil and Criminal cases, if any, pending between them, in any Court of Law/Authority.”

5. Learned counsel appearing on behalf of the respondent No.5-College, in both the cases, has placed on record the details of cheques of current date, as well as, the details of post dated cheques, today in the Court. The same is taken on record as ‘**Mark-A**’ and ‘**Mark-B**’, respectively.

6. Learned counsel for the petitioner(s), undertakes to hand over the said cheques to respective petitioner(s).

7. Learned counsels for the parties concerned, at this stage, submits that nothing survives in the instant writ petition(s), and the same can be disposed of, in view of the compromise settlement/agreement (supra).

8. At this stage, learned counsel for the petitioner(s), submits that the grievance of the petitioner(s), with regard to migration certificate(s), is still pending.

9. Learned counsel appearing on behalf of the respondent No.4-University, in both the cases, submits that in case, the petitioner(s) approach to the University, by filing an apt application for issuance of a migration certificate(s), the same shall be considered sympathetically and most expeditiously.

10. In view of the above, a *mandamus* is passed upon the respondent No.4-University concerned, that in case, the petitioner(s), apply for a migration certificate(s), within a period of 15 days, from the date of receipt of certified copy of this order, the latter shall consider the same and will take a



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- 11. Consequently, the instant writ petition(s) are **disposed of**, in view of the compromise settlement/agreement (supra), executed between the petitioner(s) and respondent No.5.
- 12. Pending applications, if any, stands disposed of accordingly.
- 13. Photocopy of this order be placed on the connected case file, as numbered above.

(KULDEEP TIWARI)
JUDGE

March 18, 2026
Manpreet

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