

Anjali Sharma vs. Union of India and ors.

CMP(M) No.1797 of 2025

Item No.S-3

17.10.2025 Present: Mr. Aman Parth Sharma, Advocate, for the applicant/appellant.

Mr. Balram Sharma, DSGI with Mr. Rajeev Sharma, Advocate, for respondents No.1 and 3.

Ms. Priyanka Chauhan, Deputy Advocate General, for respondents No.2 & 6-State.

Mr. Sandeep Kumar Pandey, Advocate, for respondent No.7.

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Application for condonation of delay of 31 days in filing the appeal has been preferred against the judgment dated 25.08.2025.

2. Keeping in view the nominal delay and the averments made in the application which is duly supported by an affidavit, application for condonation of delay is allowed and disposed of.

LPA No.728 of 2025

3. Notice. Mr. Rajeev Sharma, Advocate and Ms. Priyanka Chauhan, Deputy Advocate General and Mr. Sandeep Kumar Pandey, Advocate, appear and accept service of notice on behalf of respondents No.1 & 3, respondents No.2 and 6, and respondent No.7, respectively.

4. Let notice be issued to respondents No.4 and 5, returnable within a period of four weeks, on taking steps within a week.

5. It is submitted that on 05.08.2025, when the writ petition came up before the learned Single Judge, permission to participate in the counselling as a Priority-III candidate was granted, subject to the final outcome of the writ petition.

6. It is further submitted that in pursuance of the same, the petitioner was admitted in Dr. Yashwant Singh Parmar Govt. Medical College, Nahan, Sirmour, H.P. It is submitted that both the writ petitions had been filed by brother and sister, which were disposed of by granting the benefit of consideration under Priority III, but restricting it to only one ward, while relying upon the instructions (Annexure P-8) issued by the Ministry of Defence for the year 2024-25, which provide that the facility for applying for Reserve Defence seat would be admissible to only one member of a family once in a lifetime.

7. It is thus submitted that the earlier instructions regarding Priority-III dated 21.05.2018 had been issued by the Ministry of Defence, Department of Ex-Servicemen Welfare and there was no restraint as such.

8. Accordingly, it was argued that the said restriction as such would be violative of Article 14, even though it might be a concession. It is also pointed out that the admission has been cancelled of the present appellant and petitioner's brother,

Mr. Abhay Gautam, who had filed CWP No.10935 of 2025 had also got an interim order and got admission at Dr. Radhakrishnan Govt. Medical College, Hamirpur, H.P., and is continuing, as such.

9. Counsel for the Union of India on the other hand submits that the appeals are also in the process of being preferred against the order of the learned Single Judge and prays for time.

10. Keeping in view the fact that the appellant had already been admitted in the abovesaid institute, we are of the considered opinion that she be allowed to continue in the said institute.

11. To come up on **04.12.2025**.

(G.S. Sandhawalia)
Chief Justice

October 17, 2025
(ankit)

(Jiya Lal Bhardwaj)
Judge