

ITEM NO.71

COURT NO.1

SECTION IVB

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).27365/2008
(From the judgement and order dated 12/09/2008 in CWP No. 12845/2008 of The HIGH
COURT OF PUNJAB & HARYANA AT CHANDIGARH)

RAMINDER SINGH NAGRA

Petitioner(s)

VERSUS

JAGJIT SINGH PURI & ORS.
(With prayer for interim relief)

Respondent(s)

Date: 13/07/2009 This Petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE P. SATHASIVAM
HON'BLE MR. JUSTICE J.M. PANCHAL

For Petitioner(s) Ms.Shikha Ray Pabbi, Adv.
Mr.Ajit Kumar, Adv.
for Mr. S.K. Sabharwal,Adv.

For Respondent(s) Mr. G.K. Bansal,Adv.
Mr.Sanjay Bansal, Adv.
Mr.Mullapudi Rambabu, Adv.

2

Mr.Ajay Pal,Adv.

UPON hearing counsel the Court made the following
ORDER

The petitioner is a minor son of a Central Government employee posted at Chandigarh in the Office of the Accountant General, Chandigarh. The petitioner has sought admission of M.B.B.S. Course on the ground that the children of employees working in the State of Punjab are entitled to get preferential consideration in the matter of admission to

M.B.B.S.course. The petitioner was denied admission on the ground that he had not passed the 10+2 course from

3

State of Punjab and that his father was not working in the State of Punjab. The High Court thus rejected the claim of the petitioner.

Heard both sides.

We are told that the petitioner's father was working in Chandigarh in the Office of Accountant General of Punjab. The relevant clause 2(c) issued by the Government of Punjab (Department of Personnel and Administrative Reforms) dated 6.6.1996 reads as follows:

"2(c) The employees of State Govt. institutions/undertakings who are posted in Chandigarh or in Punjab in connection with the affairs of the Punjab Govt. for a period of 3 years."

The petitioner's father was working in the Office of Accountant General, Punjab at Chandigarh and he also used to visit the State of Punjab for doing his official work. In view of clause 2(c), the petitioner has to be treated as a person entitled to a preferential consideration for the admission to the said course. The petitioner has also produced a copy of the certificate issued by the Central Board of Secondary Education, which shows that he has passed the examination from the Govt. Model Senior Secondary School, Sector 35-D, Chandigarh. Chandigarh being the Union Territory which is also the capital city of State of Punjab is to be treated as part of State of Punjab. Both the grounds given by the High Court to deny admission to petitioner are not correct and in view of the factual situation, the petitioner is entitled to be considered for one seat which was already kept vacant pursuant to the order passed by this Court. The petitioner may be permitted to join the course. The

college/university would be at liberty to issue

5

appropriate directions for regularisation of the studies of the petitioner, as much time has elapsed after the commencement of the regular course.

The special leave petition is disposed of accordingly. No costs.

Dasti order permitted.

(G.V.Ramana)
Court Master

(Veera Verma)
Court Master