

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

**CWP No. 6615 of 2010(O&M)
Decided on : 31-01-2011**

Dr. Rubinderjit Kaur

....Petitioner

VERSUS

Baba Farid University of Health Sciences, Faridkot and others

....Respondents

CORAM:- HON'BLE MR. JUSTICE MAHESH GROVER

Present:- Mr. P.S.Dhaliwal , Advocate for the petitioner.

Ms. Alka Chatrath, Advocate for respondent

Mr. Vijay Kumar Chaudhary, AAG, Punjab

MAHESH GROVER, J

CM No. 16181 of 2011

Allowed as prayed for. Written statement is taken on record.

CWP No. 6615 of 2010

The petitioner claims admission in the Post Graduation course from Baba Farid University of Health Science, Faridkot. 51 seats were reserved for candidates who are serving as doctors and belong to PCMS cadre. The petitioner who fulfilled all the eligibility conditions competed for the exam against 60 % of PCMS quota. The petitioner scored 399 marks out of total of 800 marks implying thereby one mark was less than 400 marks which are cut off marks specified by the University. She was thus not considered for the post. Only 4 persons qualified and remaining seats were converted into general quota and since been filled up.

Upon notice of motion, respondents have filed their reply in

which they have stated that entire year has gone by now and seats have since been filled up and petitioner with 399 marks could not be granted the benefit of consideration as there was no provision to round up the percentage from 49.87% to 50%.

After hearing learned counsel for the parties, I am of the considered opinion that as on today no benefit can be granted to the petitioner in view of the fact that entire session of one year has gone by and the seats have since been filled up. The brochure for the next year is likely to come out in February, 2011 and if the petitioner, even if her prayer is accepted, cannot be granted admission to the course which is yet to be started, as there will be other candidates who will be eligible and if the petitioner is desirous of getting admission, he may compete for the course which is likely to be thrown upon in February, 2011.

Dismissed.

January 31, 2011
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**(Mahesh Grover)
Judge**