

**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**

S.B. Civil Writ Petition No. 17732/2023

1. Pankaj Meghawal S/o Shri Mahaveer Prasad, Aged About 24 Years, R/o Jetpura, District Churu, Rajasthan.
2. Dinesh Kumar, S/o Shri Bala Ram, Aged About 24 Years, R/o Bus Stand, Shergarh, Jodhpur, Rajasthan.
3. Rashmi Sarswal, D/o Shri Om Prakash, Aged About 24 Years, R/o Village Post Datob, Tehsil Todarai Singhpora, District Tonk, Rajasthan.

----Petitioners

Versus

1. Rajasthan Para Medical Council, Jaipur, C-7A, Sultan House, Sawai Jai Singh Highway, Jaipur Through Registrar.
2. Controller Of Examinations, Rajasthan Para Medical Council, Jaipur, C-7A, Sultan House, Sawai Jai Singh Highway, Jaipur.
3. Rajasthan University Of Health Sciences, Kumbha Marg Pratap Nagar, Sanganer, Jaipur (Raj.) Through Its Vice Chancellor.
4. Controller Of Examination, Rajasthan University Of Health Sciences, Kumbha Marg Pratap Nagar, Sanganer, Jaipur (Raj.)

----Respondents

For Petitioner(s) : Mr. Raj Sharma

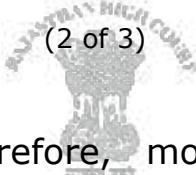
For Respondent(s) : Mr. Virendra Lodha, Sr. counsel assisted by Mr. Rachit Sharma, Adv.
Mr. Bharat Saini, Addl. G.C.

HON'BLE MR. JUSTICE INDERJEET SINGH

Order

31/10/2023

This writ petition has been filed by the petitioners with the following prayers:-


"It is therefore, most respectfully
prayed that your lordships may graciously
be pleased to accept and allow this writ
petition and by issuing an appropriate writ,
order or direction the respondents be
directed.

- i) to allow the petitioners to fill the examination form for Rajasthan Para Medical Diploma Course 2nd year Remanded/Supplementary Theory Exam session 2017-2018 September-2023 for Diploma in Medical Laboratory Technology.
- ii) to allow petitioners to appear/sit in the Rajasthan Para Medical Diploma Course 2nd year Remanded/Supplementary Theory Exam session 2017-2018 September-2023 for Diploma in Medical Laboratory Technology commencing from 30th October 2023.
- iii) the respondents may be directed to declare the result of the petitioners.
- iv) Cost of the petition be allowed.

Any other order or direction and benefits which this Hon'ble Court deems fit and proper may also kindly be passed in favour of the petitioners."

All the petitioners took admission in two years' Para Medical Diploma Course for the Session 2017-2018 and according to the Rajasthan Para Medical Council Regulations, the student has to clear the examination in eight attempts. Admittedly, the respondents have granted eight chance to the petitioners for clearing the subject course, however, the petitioners failed to clear the two years Para Medical Course in the extended period of eight attempts.

Counsel for the petitioners submits that the Rajasthan Para Medical Council (RPMC) has been following the pattern of Rajasthan University of Health Sciences (RUHS) and according to the Board Meeting dated 03.04.2018 of the RUHS for the Diploma Course, the tenure has been extended from four years to six years and counsel prayed that since the Para Medical Council has

adopted all the Regulations of RUHS, therefore, completion period of four years of the course be extended upto six years.

Counsel for the respondents has opposed the writ petition and submits that the Para Medical Council is a separate body and admission of the petitioners is governed by the Regulations of Para Medical Council. Counsel further submits that the decision taken in the Board Meeting dated 03.04.2018 of the RUHS is applicable for the Academic Session 2018-2019 only onwards whereas the petitioners have taken admission in the Session 2017-2018 and therefore the same is not applicable in the case of the petitioners and prayed for dismissal of the writ petition.

Heard counsel for the parties and perused the record.

This writ petition filed by the petitioners deserves to be dismissed for the reason that according to Clause 19 of the Regulations of Para Medical Council dated 05.02.2018, the petitioners have to clear two years' Para Medical Diploma Course within a period of four years or within eight attempts but the petitioners have admittedly failed to clear the said examination within eight attempts granted by the Rajasthan Para Medical Council (RPMC), therefore, in my considered view, no case is made out for interference by this Court under Article 226 of the Constitution of India.

Hence, this writ petition stands dismissed.

(INDERJEET SINGH),J