

SUPREME COURT OF INDIA

Aakanksha Sharma

Vs.

State of Punjab

C.A.Nos.17898-17899 of 2000

(Dr. A. S. Anand CJI., R. C. Lahoti and Brijesh Kumar JJ.)

04.01.2001

ORDER

1. Petitioner No. 1-Askanksha Sharma, was born in Kapurthala District in the State of Punjab. She, however, passed her Matriculation Examination from C.B.S.E., New Delhi after studying for that examination in Karnal (Haryana). Petitioner No. 2-Sanjeev Kumar, is also a resident of Punjab. He passed his 10+2 Examination from Ambala Cantt. (Haryana).

2. Since both the petitioners were born in Punjab they considered themselves as included in the category reserved for bona fide residents for the State of Punjab and taking note of various Government of Punjab Circulars and Notifications, appeared for Punjab Medical Entrance Test-2000 (PMET-2000) in accordance with the prospectus issued by respondents Nos. 2 and 3 for selection of students for admission to various medical Courses in the State of Punjab. The petitioners were made to give an undertaking that they would not seek admission against 85% quota in any other State. That undertaking was furnished by the petitioners. The result of the PMET-2000 was declared on 25th June, 2000 and according to the petitioners, they secured a position in the merit list for getting admission. After the declaration of the result on 25th June, 2000, the eligibility criteria was changed and Notification dated 3rd June, 2000 was withdrawn on 23rd July, 2000 as a result of which the petitioners who had given an undertaking not to seek admission under 85% quota in any other State, could neither find a place in the Medical Colleges in Punjab (since they had studied in Haryana) nor were they in a position to appear for entrance examination for medical for medical courses in any other State, as by that time entrance examination in other States was also over. It is submitted that the petitioners have been to suffer for no fault of theirs.

3. Issue notice to respondents Nos. 1 to 3 in the first instance, returnable within three weeks. The respondents may also show cause why interim relief be not granted. Dasti service, in addition, is permitted.

Order accordingly.