
(2017) 07 SHI CK 0010
In the High Court Of Himachal Pradesh
Case No : 1201 of 2017 & 1330 of 2017

Dr. B.S. Rathore & others

APPELLANT

Vs

State of Himachal Pradesh & others

RESPONDENT

Date of Decision : 07-07-2017

Acts Referred:

[Medical Council of India Act, 1956](#), Section 33

Citation : (2017) 07 SHI CK 0010

Hon'ble Judges : Sanjay Karol, Ajay Mohan Goel

Bench : Division Bench

Advocate : K.S. Banyal, Vijender Katoch, Abhimanyu Rathore, Shrawan Dogra, Anup Rattan, Ritta Goswami, B.C. Negi, Raj Negi

Final Decision : Dismissed

Judgement

1. As common questions are involved in both these writ petitions, they have been taken up together for the purpose of adjudication.
2. Petitioners challenge the merit lists prepared by the respondents-authorities as well as mop-up counselling conducted by the Counselling Committee, on 31.5.2017, for the purpose of admission to Post Graduation (MD/MS) Courses for the Session 2017-2020, pursuant to public notice dated 24.5.2017 issued by Ministry of Health and Family Welfare, Government of India, and Notice dated 25.5.2017 (Annexure P-3) issued by the Principal-cum-Member Secretary, Counselling Committee, Indira Gandhi Medical College and Hospital, Shimla (hereafter referred to as IGMC), for admission in IGMC and Dr. Rajindra Prasad Medical College and Hospital, Kangra and Tanda (hereinafter referred to as RPMC) for the academic session 2017-2020. Prospectus for admission to MD/MS courses, for academic Session 2017-2020, was issued by the Department of Medical Education and Research, Himachal Pradesh, Shimla, in the month of March, 2017. Time schedule was prescribed therein, as finalized by Hon'ble Supreme Court of India in case titled as Ashish Ranjan v Union of India and others, (2016) 11 SCC 225. Important dates as mentioned in the time schedule

are quoted herein below:

"IMPORTANT DATES

1. Date for sale of Prospectus 25.3.2017
2. Last date of receipt of application 06.4.2017
3. Date of displaying the merit list on the notice board of IGMC, Shimla and official website drawn by the Principal IGMC, Shimla-cum- Member Secretary Counselling Committee on the basis of NEET (PG)-2017 ranking/marks of those candidates who have applied on the prescribed application form within stipulated date as mentioned in the prospectus. 11.4.2017
4. Date of 1st round of Centralized Counselling at Auditorium Complex Indira Gandhi Govt. Medical College, Shimla at 11:00 A.M. sharp. 13.4.2017
5. Last date for joining the allotted Course/College in 1st round of Counselling. 22.4.2017
6. Date of 2nd round of Centralized Counselling at Auditorium Complex Indira Gandhi Govt. Medical College, Shimla at 11:00 A.M. sharp. 16.5.2017
7. Last Date of joining for candidate admitted in 2nd round of counselling 27.5.2017
8. The seats remaining unfilled/ vacant after 2nd round of Counselling will be displayed by the Principal IGMC, Shimla-cum- Member Secretary Counselling Committee on the college notice board and also uploaded on the College website for vide publicity. 30.5.2017(3:00 PM)
9. Commencement of academic session w.e.f. 01.5.2017
10. Last date upto which students can be admitted/join against vacancies arising due to any reason. 31.5.2017"
3. As per the prospectus, counselling for filling up 50% State quota Post Graduation Degree seats, as per State merit drawn by Principal-cum-Member Secretary of the Counselling Committee, was to be conducted on the basis of score of NEET (PG)-2017, by the Department of Medical Education and Research, Himachal Pradesh. Prospectus prescribes qualifying criteria for applying for 50% State quota for counselling for admission to Post Graduation Courses (MD/MS) as under:
 - (a) General Category 50th percentile
 - (b) SC/ST 40th percentile
 - (c) Person with Disability 45th percentile
4. Under the heading "Important Instructions" prospectus prescribes that candidates having less than the above percentile in NEET (PG)-2017, would not

be eligible to apply for counselling.

5. Present petitioners are candidates who had not acquired the said qualifying criteria (*supra*). Thus, as they were originally having less than the percentile mentioned in the prospectus, they were not eligible to apply for counselling.

6. The prospectus further contemplates two groups, for the purpose of admission under State quota, i.e. (a) Himachal Pradesh Health Service (in-service GDO) Group, and (b) Direct Group. Candidates, who are eligible to participate as in-service candidates were entitled for incentive of 10% of the marks obtained in NEET (PG), for each completed year of service in any of the areas declared as difficult/hard/tribal/ backward by the State, subject to maximum of 30%, in terms of the judgment of the Hon'ble Supreme Court of India in *State of Uttar Pradesh & others v. Dinesh Singh Chauhan*, (2016) 9 SCC 749.

7. Undisputedly, counselling was conducted as per schedule on 13.4.2017 and 16.5.2017 on the basis of original percentile.

8. However, midway, on 24.5.2017, a notice was issued by the Ministry of Health and Family Welfare, Government of India (Annexure P-2), which reads as under:

"Government of India

Ministry of Health and Family Welfare

PUBLIC NOTICE

In exercise of powers conferred to the Central Government by Clause 9(III) of the Post Graduate Medical Education Regulations, 2000, it has been decided in consultation with Medical Council of India (MCI), to reduce the percentile cut offs for NEET-PG 2017 by 7.5 percentile, taking them to 42.5 percentile for general candidates and 32.5 percentile, taking them to 42.5 percentile for general candidates and 32.5 percentile for reserved category candidates. Marks so lowered by the Central Government are applicable for the academic year 2017 only.

Sd/-

(Arun Singhal)

Joint Secretary, Medical Education."

9. Pursuant thereto, Principal-cum-Member Secretary of the Counselling Committee, IGMC, also issued a notice, dated 25.5.2017, for filling up the vacant/unfilled Post Graduation (MD/MS) seats in Government and Private Colleges of the State for the year 2017-18, which reads as under:

"Notice for filling-up of vacant/unfilled PG(MD/MS) seats in Govt. and Private Medical Colleges of the state for the academic session 2017-2018.

In pursuant to the Public Notice issued by the Govt. of India, Ministry of Health &

Family Welfare It is for information of all the concerned that the Govt. of India has reduced the percentile cut offs for NEET-PG-2017 by 7.5 percentile, taking them to 42.5 percentile for General candidates and 32.5 percentile for reserved category and 32.5 percentile for reserved category candidates.

The Mop up round to fill up the vacant/unfilled PG(MD/MS) seats in Govt./Private Medical Colleges for the academic session 2017- 2018 shall be filled through Centralized Counselling conducted by the Counselling Committee constituted by the Govt. on 31.5.2017 in Examination Hall, Indira Gandhi Medical College, Shimla for which fresh Applications are hereby invited from the interested candidates to appear in the Mop up round Counselling on plain paper mentioning therein full particulars i.e. Name, Father's Name, Category, date of Birth, name of the Domicile State, name of College from where MBBS done, Neet PG-2017, Roll No. Marks, address and contact number etc. alongwith photocopies of relevant documents as mentioned in the counselling Prospectus issued by the Department of Medical Education & Research, Himachal Pradesh, Shimla available on the DME & Research and IGMC, Shimla websites www.hpgov.in/hpdmer and www.igmcshimla.org. The application along with Bank draft drawn in favour of Principal, Indira Gandhi Medical College, Shimla amounting to Rs.1500/- for General Category and Rs.1000/- for SC/ST category must reach in the office of Principal, Indira Gandhi Medical College, Shimla-cum-Member Secretary Counselling Committee on or before 30.5.2017 upto 2.00 PM (Student Section) beyond which no application shall be entertained. No intimation will be sent separately by post for attending the Counselling. The detail of PG (MD/MS) seats will be available on 30.9.2017 in aforesaid websites.

Please note that All the candidates will have to bring Original documents alongwith requisite fee amounting to Rs.39,000/- in the shape of Bank Draft in favour of Principal, IGMC, Shimla at the time of Counselling failing, which the seat will be allotted to the next candidate in order of merit.

The In-service candidates are directed to obtain the NOC from the Director of Health Services, Shimla-171001 before the submission of application.

The application fee is not refundable."

(Emphasis supplied)

10. Only by virtue of the abovementioned public notices, present petitioners gained eligibility to participate in the Mop-up counselling. As a result of the petitioners and similarly situated candidates gaining eligibility to participate in counselling, due to lowering down of the percentile, the candidates who earlier were more meritorious than the petitioners and had obtained original qualifying percentile, as mentioned in the prospectus, now stood at a disadvantage, because such like in-service candidates, who earlier were not qualified to participate in the counselling, now were stealing march over them, by virtue of incentive, which they gained for having worked in difficult/ hard/backward/tribal areas. Some of such candidates, who were in earlier merit list, approached this

Court by way of CWP No.1156 of 2017, titled as Ajay Modgil v. State of H.P. and others. The petition so filed was disposed of by this Court in the following terms:

"Mr. Anup Rattan, learned Additional Advocate General, has placed on record proceedings of the meeting of PG (MD/MS) Degree/Diploma Counselling Committee dated 30.5.2017, copy of which is taken on record and relevant portion whereof, is extracted herein below:-

"Item No.4: Some Neet-PG-2017 qualified candidates have applied afresh in lieu of notice issued by the Principal, IGMC, Shimla, in leading newspapers for left out PG seats after the notification of Govt. of India vide which minimum qualifying marks has been reduced by 7.5% percentile in all categories i.e. Gen/SC/ST. Although they have qualified NEET-PG-2017 but not applied before the initial last date of submission of Prospectus-cum-application form for admission to PG courses in IGMC, Shimla and Dr. RPGMC, Kangra against State quota seats. Whether such type of candidature is to be considered or not?

Item No.3&4 were discussed together and decided that a separate merit list will be drawn in respect of those candidates who have applied afresh in lieu of notice issued in the leading newspapers vide which application were invited from NEET-PG-2017 qualified candidates to fillup left out seats in Govt. Medical/private Medical Colleges. Firstly, as per prospectus the mop round shall be conducted from the earlier merit list of candidate who attended the 1st and 2nd round of Counselling and thereafter from the new merit list as per the fresh application received.

2. In view of the stand taken by the State, grievance of the petitioner stands redressed. In fact, he has been allowed to participate in the mop up round of counseling, which has taken place today. Accordingly, the present petition is disposed of, so also pending applications, if any."

11. It is apparent from the above that the Counselling Committee decided to conduct mop-up round of counselling, first from amongst the candidates mentioned in the original merit list, prepared out of the candidates, who had attended the first and the second round of counselling and thereafter from the new merit list, so prepared in terms of fresh applications received pursuant to notice dated 25.5.2017, mentioned supra.

12. Mop-up counselling was accordingly conducted and admissions stood concluded for Post Graduation (MD/MS) Courses on 31.5.2017, which as per the prospectus was the last date upto which students could be admitted/permitted to join against the vacancies arising for whatever reason.

13. Admissions so made on the basis of the said mopup counselling stand assailed by way of the present writ petitions.

14. Contention of the present petitioners, as emerges from the submissions made by Mr. K.S. Banyal, learned Senior Advocate, is that the Counselling Committee erred in not preparing a single merit list and that act of preparing two

merit lists and thereafter conducting the mop-up counselling, initially from the original merit list and thereafter from the newly prepared merit list, is illegal.

15. On the other hand, stand of the respondents, including the Medical Council of India, is that public notice, dated 24.5.2017, which was issued by the Ministry of Health and Family Welfare, Government of India, was on the request of certain State Governments, wherein Post Graduation seats were lying vacant in Medical Colleges, for want of eligible candidates, whereas this was not the situation in the State of Himachal Pradesh, wherein eligible candidates were still available, on the strength of the original percentile fixed in the prospectus. In this background, respondents justifying their stand by submitting that the Counselling Committee adopted an equitable and fair procedure by first permitting those candidates to participate in counselling, who were qualified as per the original percentile and had participated in the first and second rounds of counselling and thereafter, opportunity was given to those candidates to participate in counselling who gained eligibility as a result of lowering down of the percentile.

16. Mr. B.C. Negi, learned Senior Advocate, appearing for the Medical Council of India, vehemently emphasized and reiterated that Ministry of Health and Family Welfare, Government of India issued Public Notice dated 24.5.2017, on requests which were received from the States, wherein MD/MS seats were lying vacant in Medical Colleges, for want of eligible candidates. According to Mr. Negi, as the factual position, as far as State of Himachal Pradesh is concerned, is not akin to the said States, therefore, no fault could be found with the act of the State, as it had offered seats in the mop-up counselling firstly to the meritorious candidates, who were eligible to participate in counselling, on the strength of original percentile and thereafter to those candidates who gained eligibility only pursuant to Public Notice dated 24.5.2017.

17. Mr. B.C. Negi, learned Senior Advocate, has drawn attention of this Court to para-38 of the judgment passed by Hon"ble the Supreme Court of India in Priya Gupta v. State of Chhattisgarh & others, (2012) 7 SCC 433, which is reproduced as under:

"38. From the above discussion and reference to various judgments of this Court, it is clear that adherence to the principle of merit, compliance with the prescribed schedule, refraining from midstream admissions and adoption of an admission process that is transparent, nonexploitative and fair are mandatory requirements of the entire scheme."

(Emphasis supplied)

18. While referring to the demerits of disturbing the time schedule, Mr. Negi has referred to Para-41 of Priya Gupta (supra), which is reproduced as under:

"41. Inter alia, the disadvantages are:-

(1) Delay and unauthorized extension of schedules defeat the principle of admission on merit, especially in relation to preferential choice of colleges and

courses. Magnanimity in this respect, by condoning delayed admission, need not be shown by the Courts as it would clearly be at the cost of more meritorious students. The principle of merit cannot be so blatantly compromised. This was also affirmed by this Court in the case of *Muskan Dogra & Ors. v. State of Punjab & Ors.*, 2005 9 SCC 186.

(2) Mid-stream admissions are being permitted under the garb of extended counseling or by extension of periods for admission which, again, is impermissible.

(3) The delay in adherence to the schedule, delay in the commencement of courses etc., encourage lowering of the standards of education in the Medical/Dental Colleges by shortening the duration of the academic courses and promoting the chances of arbitrary and less meritorious admissions.

(4) Inequities are created which are prejudicial to the interests of the students and the colleges and more importantly, affect the maintenance of prescribed standard of education. These inequities arise because the candidates secure admission, with or without active connivance, by the manipulation and arbitrary handling of the prescribed schedules, at the cost of more meritorious candidates. When admissions are challenged, these students would run the risk of losing their seats though they may have completed their course while litigation was pending in the court of competent jurisdiction.

(5) The highly competitive standards for admission to such colleges stand frustrated because of nonadherence to the prescribed time schedules. The admissions are stretched to the last date and then admissions are arbitrarily given by adopting impermissible practices.

(6) Timely non-inclusion of the recognised/approved colleges and seats deprives the students of their right of fair choice of college/course, on the strength of their merit.

(7) Preference should be to fill up all vacant seats, but under the garb that seats should not go waste, it would be impermissible to give admissions in an arbitrary manner and without recourse to the prescribed rule of merit."

19. Ms. Ritta Goswami, learned counsel appearing for the Union of India, has also explained the circumstances under which Public Notice dated 24.5.2017 was issued and has adopted the submissions made by Mr. B.C. Negi, learned Senior Advocate, appearing for the Medical Council of India.

20. Mr. Shrawan Dogra, learned Advocate General, has argued that besides the fact that there was neither any arbitrariness nor any illegality in the act of the State, even otherwise, the action of the State/Counselling Committee, which stands assailed by way of these writ petitions, was a bonafide action, which the State/Counselling Committee took, in the interest of meritorious candidates. Further, unlike the other States, wherein no eligible candidates were available for admission to MD/MS courses despite seats being available, in the State of

Himachal Pradesh, eligible candidates on the strength of original percentile, as was mentioned in the prospectus in issue, were available. Therefore, after the issuance of Public Notice, dated 24.5.2017, by the Ministry of Health and Family Welfare, Government of India, whereby the percentile was reduced and after due application of mind, Counselling Committee, in its wisdom, took the decision of first inviting those candidates, who were eligible to participate in the mop-up counselling, on the strength of their merit, as per the original percentile, and thereafter invite those candidates who gained eligibility as per the modified percentile, as it stood mentioned in the Public Notice dated 24.5.2017.

21. According to the learned Advocate General, this act of the State was not only equitable but was also fair as the same neither compromised with the merit nor did it amount to ignoring the Public Notice, issued by the Ministry of Health and Family Welfare, Government of India. It was further submitted by Mr. Dogra that even otherwise, as the last date of admission to MD/MS course, as fixed by the Medical Council of India and approved by the Hon'ble Supreme Court of India in *Ashish Ranjan (supra)*, was over, even if petitioners were to succeed, this Court probably might not be in a position to direct either fresh mop-up counselling or admission of fresh candidates, more so the petitioners, on the basis of said mopup counselling and all this Court can do is that it can set aside the admissions, which already stood made on 31.5.2017 and if such a direction is issued, the same will neither be in the interest of selected candidates nor the institutions.

22. Mr. Dogra has also argued that the State has not deviated from the directions issued by the Medical Council of India and only one merit list has been prepared, as according to him, a single merit list has to be understood in the perspective that earlier there used to be two merit lists in the State Quota, i.e. one merit list for direct category candidates and other merit list for in-service category candidates. Learned Advocate General further submits that pursuant to the judgment passed by the Hon'ble Supreme Court of India in *Dinesh Singh Chauhan (supra)*, as an in-service candidate is only to be given added advantage, by grant of marks, now only a single merit list is being prepared of both, i.e. direct category candidates and in-service category candidates.

23. We have heard the learned counsel for the parties.

24. In our considered view, there is force in the contention of learned Advocate General and Mr. B.C. Negi, learned Senior counsel for the Medical Council of India, that the procedure, which has been followed by the State in conducting the mop-up counselling, has not compromised merit in any manner.

25. It is not the case of the petitioners that they were more meritorious than the candidates who stand selected, by way of mop-up counselling. On the contrary, it is not in dispute that petitioners are those candidates who were initially not even eligible to participate in the counselling and gained eligibility only pursuant to Public Notice dated 24.5.2017, issued by the Ministry of Health and Family

Welfare, Government of India. We are not oblivious to the fact that after gaining eligibility, some of the petitioners, especially in-service candidates, by virtue of addition of percentile, on merit might have gained march, over the candidates who were existing in the original merit list, but fact of the matter still remains that such like petitioners gained eligibility only as a result of Public Notice, dated 24.5.2017, and but for the same, they were not even qualified to be invited for counselling.

26. In these circumstances, no infirmity can be found with the action of the State of first inviting those candidates for counselling, whose names already existed in the original merit list and thereafter inviting those candidates for counselling who gained eligibility only pursuant to certain intervening developments.

27. Contention of Mr. Abhimanyu Rathore, learned counsel for the petitioners that the act of the State in formulating two merit lists is in violation of the regulations so framed by the Medical Council of India and dictum of the Hon''ble Supreme Court of India, is also misplaced. Issuance of a single merit list, according to us, has to be construed in the perspective that now in-service candidates per se do not constitute a distinct and a separate class, for the purpose of admission to State Quota seats, except them being eligible for grant of additional marks, as per judgment of the Hon''ble Supreme Court of India in Dinesh Singh Chauhan (supra). Now the college(s) are to maintain a single merit list, which includes both direct category candidates as well as in-service category candidates.

28. In the present case, the State has not issued two merit lists, as the petitioners want us to believe. What the State has done is that it has maintained the original merit list, so prepared prior to the issuance of Public Notice dated 24.5.2017 and also prepared a separate single merit list of direct as well as in-service candidates, who gained eligibility by virtue of Public Notice. The Counselling Committee firstly invited those candidates whose names find mentioned in the original merit list for mop-up counselling and thereafter those candidates who gained eligibility subsequently. This act of the State, in our considered view, is neither in violation of the regulations so framed by the Medical Council of India nor against the dictum of law of upholding and respecting merit laid down by the Hon''ble Supreme Court of India.

29. At this stage, it is relevant to take note of the fact that Hon''ble Supreme Court of India in Ashish Ranjan (supra) has approved Medical College Regulations, (Amendment), 2015, framed by the Medical Council of India with the previous sanction of the Central Government, in exercise of the powers conferred by Section 33 of the Medical Council of India Act, 1956, whereby time schedule for Completion of Admission Process for PG (Broad Speciality) Medical Courses for All India Quota and State Quota is given. The Hon''ble Supreme Court of India has put its stamp of approval thereupon. In Para-3 of the said judgment, it has been held by the Hon''ble Supreme Court of India as under:

"3. Regard being had to the prayer in the writ petition, nothing remain to be adjudicated. The order passed today be sent to the Chief Secretaries of all the States so that they shall see to it that all the stakeholders follow the schedule in letter and spirit and not make any deviation whatsoever. Needless to say the AIIMS and the PGI (for the examination held in July) shall also follow the schedule on letter and spirit."

30. Statutory regulations so framed by the Medical Council of India clearly lay down that the last date upto which students can be admitted/permitted to join against vacancies, which will fall vacant for whatever reason is 31st May (obviously of the academic year in question). Thus, the schedule so fixed by the Medical Council of India stands approved by the Hon''ble Supreme Court of India. In other words, according to us there is a mandate by the Hon''ble Supreme Court of India that last date of admission against the vacancies arising for any reason, is 31st May.

31. Hon''ble Supreme Court of India in Case No.44513 of 2017, Katihar Medical Collage and others v. Union of India and others, and connected matters (decided on 9.6.2017), observed that time schedules fixed by the Medical Council of India have to be adhered to and normally even Hon''ble Supreme Court is reluctant to grant relaxation with regard thereto.

32. In Case No.8268 of 2017, titled Saurabh Dwivedi and others v. Union of India & others, and other connected matters, decided on 7.6.2017, the Hon''ble Supreme Court has held as under:

"19. The State of Uttar Pradesh has filed I.A. No.45327 of 2017 in Writ Petition (C) No.76 of 2015 praying for extension of the last date of admission as laid down in Ashish Ranjan v. Union of India & Ors., 2016 11 SCC 225 for a period of one month to comply with the directions issued by the High Court. Since we have set aside the judgment of the High Court, there is no need to redraw the merit list.

20. The learned counsel for the AMU has urged that the time for filling up the seats be extended since on account of the confusion created by the order of the High Court a large number of seats are still lying vacant in the AMU. Similar request has also been made by the learned counsel for the State of Uttar Pradesh on behalf of the Government run medical colleges/institutions. In view of the order dated 18.01.2016 passed by this Court in Writ Petition No.76 of 2015 and connected matters titled Ashish Ranjan v. Union of India & Ors., 2016 11 SCC 225, normally we would be reluctant to extend the time. However, the present case has some peculiar facts of its own. The High Court has, on a totally erroneous basis, set aside a substantial portion of the counselling on 29th May, 2017 which would have resulted in fresh counselling and, therefore, some seats which could be filled up on 30th or 31st May, 2017 could not be filled up. That process which would have taken only 2 days; time would now require a minimum of 5 or 6 days" time because action will have to be taken afresh.

21. In view of the above discussion, we set aside the judgment and order of the High Court and all consequential action taken by the State of U.P. and/ or any other authority pursuant to that order. It is clarified that those who were counselled and granted admission prior to the impugned judgement of the High Court shall be permitted to continue in their respective courses. The time for filling up the vacant seats, if any, in AMU, BHU and government run medical colleges/institutions in the State of U.P. is extended up to 12th June, 2017 in the peculiar facts and circumstances of the case. We further permit the AMU, BHU and Government run medical colleges/ institutions in the State to fill up the seats in the post graduate courses in the AMU, BHU and Government run medical colleges/institutions up to 12.06.2017."

33. In our considered view, taking into consideration the fact that as per the statutory regulations of the Medical Council of India, no admissions, post 31.5.2017, for any reason whatsoever can be made to Post Graduate (MD/MS) Courses, and the said regulations having been given seal of approval by the Hon"ble Supreme Court of India, this Court cannot, in any eventuality, issue a mandamus, directing admission of a candidate in a post graduation course after 31.5.2017. We may only observe that the writ petition came to be filed only subsequent to the said date.

34. We are in respectful agreement with all of the submissions made by learned Advocate General and Mr. B.C. Negi, learned Senior Advocate, for in our considered view, the action so taken, bonafide in nature, actually advances the course of merit alone, which Hon"ble the Supreme Court of India, emphasized in Priya Gupta (supra). There is neither any procedural irregularity nor any arbitrariness in the impugned action. Instructions of the Central Government, when construed contextually only emphasize merit and nothing else.

35. Further, in our considered view, it may not even be appropriate for us to venture in allowing the writ petitions, for in the eventuality of the petitioners succeeding, the court can neither order fresh mop-up counselling nor can a direction be issued to grant admission to candidates on the basis of such mop-up counselling in Post Graduation (MD/MS) Courses in any of the Medical Colleges in the State of Himachal Pradesh, as the last date for admission is over.

36. No other point is urged. In view of the above discussion, as there is no merit in these writ petitions, they are accordingly dismissed. Interim order, if any, stands vacated. Miscellaneous application, if any, also stands disposed of.