
(2012) 02 P&H CK 0250
In the Punjab And Haryana At Chandigarh
Case No : CWP No. 2302 of 2012

Dr. Tejinder Singh

APPELLANT

Vs

State of Punjab and others

RESPONDENT

Date of Decision : 09-02-2012

Acts Referred:

Citation : (2012) 02 P&H CK 0250

Hon'ble Judges : Ranjan Gogoi, C.J.;Mahesh Grover, J

Bench : Division Bench

Judgement

Ranjan Gogoi, C.J.—This Public Interest Litigation has been filed essentially seeking interference of the Court with the examination held for qualifying in the Super Specialty Course in Surgical Oncology. According to the petitioner, the said examination is seriously tainted and there has been virtually a sale of such degrees to undeserving persons. Accordingly this writ petition has been filed as a Public Interest Litigation.

2. The petitioner was one of the candidates who took part in the examination in which he was unsuccessful whereas the respondent No.3 was successful in the same examination process. The petitioner, therefore, has an element of personal interest in the subject matter of the writ petition. Such personal interest of the petitioner would stand to gain if the relief prayed for are to be granted.

3. A Public Interest Litigation, in our considered view, would be of doubtful maintainability if coupled with the public interest an element of personal interest is involved. This is precisely the situation in the present case for which we feel disinclined to entertain this Public Interest Litigation. However, we make it clear that notwithstanding the present order it will be open for the petitioner to espouse his grievances by filing a writ petition to vindicate his legal rights or for any public spirited individual to highlight before the Court the issues with regard to the alleged manipulations and infirmities in the holding of the examination as has been sought to be raised in this Public Interest Litigation.

4. With the aforesaid observations, this Public Interest Litigation is disposed of.