

(2020) 06 J&K CK 0059

In the Jammu And Kashmir High Court

Case No : Other Writ Petition No. 1446 Of 2016

Hemashri

APPELLANT

Vs

State Of J&K And Others

RESPONDENT

Date of Decision : 30-06-2020

Acts Referred:

Citation : (2020) 06 J&K CK 0059

Hon'ble Judges : Rajesh Bindal, J

Bench : Single Bench

Final Decision : Dismissed

Judgement

Rajesh Bindal, J

1. The petitioner approached this Court praying for the following reliefs :-

"(a) Allow the present writ petition;

(b) Direct the respondents to redraw the merit of the common entrance test CET-II 2016, in respect of Paper-I with regard to question No.71 of Subject Chemistry for subject code B2 of Physics and Chemistry held on 31st of July 2016 and accordingly assign the petitioner appropriate place in the list of candidates having qualified the said test for free seat of MBBS course.

(c) Direct the respondents to admit the petitioner for MBBS course in Govt medical College against the quota of free seats on the basis of her revised merit.

(d) Direct the respondents to ensure refund of fee to the petitioner in accordance with the relevant Rules operating the field."

2. Notice in the petition was issued on 03.10.2016. However, on 29.05.2017 this Court passed the following order:-

"Learned counsel for the petitioner submits that the arguing counsel is not available.

Mr. A. S. Kotwal, learned Dy. AG submitted that no relief can be granted to the petitioner as the petitioner seeks to redraw the merit of the Common Entrance Test CET-II 2016 and to admit him for MBBS course in Government Medical College and that since one year has passed, the petition might have become infructuous by efflux of time.

In the interest of justice, as prayed for by the proxy counsel, let the matter be listed after ensuing summervacation."

3. The matter was last listed in Court on 17.07.2017 when no one appeared for the petitioner which clearly transpires that the petitioner has no interest to pursue the present petition.

4. There are matters pending in this court in which issue of admission to various professional courses and other classes is involved. In some by interim order either admission was granted or seats were directed to be kept vacant but the cases are still lying in court for decades. There are matters where issues regarding construction of roads, culverts, schools, colleges, community centres and other projects of development are pending consideration before this court. In some cases interim stay has also been granted. In these cases even the government departments and counsels are not taking any interest to furnish the requisite information to the court and get those cases disposed of. In fact, as a result of pendency of these types of cases lot of development projects have been put on hold. These are few examples being noticed. There are many more.

5. Regularly, the cause list is being issued, which is being uploaded on the website of the High Court. The same is accessible to the Advocates as well as to the litigants. In the cause list issued for this Court, a specific note is being printed to the following effect:

"All Advocates whose cases are listed in cause list are requested to contact the concerned Bench Secretary-Mr. Hilal Yousuf on Mobile No. 9419150533 / Reader-Mr. Reagan Thakur on Mobile No. 9419140621."

6. In the present case as well none of the parties contacted the Bench Secretary or Reader of this Court.

Keeping in view the aforesaid facts, nothing survives in the present petition as the prayer made therein has been rendered infructuous, at this stage. The same is accordingly, dismissed.