
(2020) 07 UK CK 0004

In the Uttarakhand High Court

Case No : Writ Petition (M/S) No. 971 Of 2020

Km. Asfi Suhail And Another

APPELLANT

Vs

State Of Uttarakhand And Others

RESPONDENT

Date of Decision : 01-07-2020

Acts Referred:

Citation : (2020) 07 UK CK 0004

Hon'ble Judges : Sudhanshu Dhulia, J

Bench : Single Bench

Advocate : T.A. Khan, Vinay Bhatt, S.R. Joshi, Devesh Ghildiyal, Sushil Kumar, Shailendra Nauriyal, Rajendra Dobhal, Jitendra Chaudhary

Final Decision : Disposed Of

Judgement

Sudhanshu Dhulia, J

1. The petitioners have inadvertently not impleaded Guru Ram Rai Medical College, Dehradun as a party, although they have impleaded the Guru Ram

Rai University, Dehradun as respondent no. 3. Let the necessary correction be made by the petitioners and Shri Guru Ram Rai Institute of

Medical & Health Sciences be impleaded as a party, during the course of the day. In any case, Mr. Rajendra Dobhal, learned Senior Advocate

appears for the Medical College as well as for the University.

2. This writ petition has been filed by two petitioners who are students of 3rd year doing M.B.B.S. course in the said medical college. Their grievance

is that for the academic year 2020-21, the medical college is charging Mess Fee from them, although they have not availed the facility of Mess, as

both the Mess as well as hotel are closed due to Covid-19 pandemic. Under the present strange and difficult times of Covid-19 pandemic, they have

also prayed that the payment of tuition fee may also be deferred. They have, however, admitted that presently the classes are going on through video-conferencing.

3. This Court, on 29.06.2020, had directed the learned Senior Counsel Mr. Rajendra Dobhal to get instructions from the medical college and the University regarding the submissions made by the petitioners.

4. Having heard the learned Senior Counsel for the respondent medical college Mr. Rajendra Dobhal, who has argued that though the medical college is liable to charge only the Mess fee for the actual services taken, but the Hostel fee has still to be given, as technically the hostels are still in possession of the petitioners. As regarding the payment of tuition fee and hostel fee, he would submit that the college is ready to split the entire annual tuition fee and hostel fee into two. The first be given within fifteen days from today and the rest by the 1st week of September, 2020.

5. With the consent of both the parties, as far as Mess charges are concerned, the Mess charges shall not be taken by College as no consumption has been made by the students, as the Mess is not functioning. As regarding hostel charges and tuition fee, the petitioners are liable to pay the same but purely in the interest of justice, considering the Covid-19 pandemic, subject to the fact that the petitioners deposit 50% of the tuition and hostel fee within fifteen days from today, the remaining 50% shall be taken from them by 1st week of October, 2020.

6. It is made clear that this order may also be applicable to all the students, unless he/she is willing to pay the entire tuition and hostel fee at once.

7. In view of the above, the writ petition stands disposed.

8. Let a certified copy of this order be supplied today itself on payment of usual charges.