



IN THE HIGH COURT OF HIMACHAL PRADESH AT SHIMLA

CWP No.8388 of 2022

Decided on: 12<sup>th</sup> December, 2022

Nikita Chaudhary

.....Petitioner

Versus

State of HP & others

.....Respondents

*Coram*

**The Hon'ble Ms. Justice Sabina, Judge**

**The Hon'ble Mr. Justice Sushil Kukreja, Judge**

<sup>1</sup> *Whether approved for reporting?*

For the petitioner:

Mr. Sanjeev Bhushan, Senior Advocate with Mr. Rajesh Kumar, Advocate.

For the respondents:

Mr. Ajay Vaidya, Senior Additional Advocate General, for respondents No.1 to 3/State.

Mr. Dinesh Kumar Thakur, Advocate, for respondent No.4.

**Sabina, Judge (Oral)**

Petitioner has filed the petition under Article 226 of the Constitution of India, seeking following relief:-

*“(i). That appropriate writ, order or direction may very kindly be issued directing the respondents to grant admission to the petitioner to MBBS Course*

<sup>1</sup> *Whether reporters of Local Papers may be allowed to see the judgment?*

*in Dr. Rajendra Prasad Government Medical College & Hospital, Tanda, where she has succeeded on merits under PwD Category, in the interest of law and justice.”*

2. We have heard learned counsel for the parties and have gone through the record available on the file carefully.

3. Admittedly, as per Prospectus (Annexure P-6) and Appendix (Annexure P-9), a person, who is suffering from more than 80% disability, is not eligible for Medical Course and the persons, who is suffering from disability between 40% to 80%, is eligible for Medical Course under person with disability (PwD) quota.

4. Since, as per report submitted by the Medical Board constituted by PGI, Chandigarh, the disability suffered by the petitioner is 78%, the case of the petitioner is liable to be considered by the respondents for admission to MBBS Course in Dr. Rajendra Prasad Government Medical College and Hospital, Kangra at Tanda, District Kangra, H.P.

5. Accordingly, this petition is disposed of with a direction to the respondents to consider the case of the petitioner for grant of admission to MBBS Course in Dr. Rajendra Prasad Government

Medical College and Hospital, Kangra at Tanda, District Kangra,  
H.P.

6. Copy of this order be supplied to the learned Senior  
Additional Advocate General under the signatures of the Court  
Master for necessary compliance.

Pending miscellaneous application(s), if any, also stand  
disposed of.

**(Sabina)  
Judge**

**(Sushil Kukreja )  
Judge**

**December 12, 2022**

(VH)