

2025:PHHC:103968-DB



CWP-23071-2025 (O&M)

Date of Decision: 11.08.2025

Doyel Koul

...Petitioner

Vs.

State of Punjab and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE ASHWANI KUMAR MISHRA
HON'BLE MR. JUSTICE ROHIT KAPOOR****Present:** Mr. Rajiv Atma Ram, Sr. Advocate with
Mr. Brijesh Khosla, Advocate for the petitioner.

Mr. Animesh Sharma, Addl. AG, Punjab.

Mr. Naresh Kumar, Advocate for respondent No.3.

ASHWANI KUMAR MISHRA, J. (Oral)

1. The petitioner is primarily aggrieved by the tentative provisional merit list dated 27.07.2025 and tentative provisional allotment list for (Jammu and Kashmir Migrants) dated 06.08.2025.

2. Following order was passed on 08.08.2025:-

“1. The petitioner has applied for admission to the MBBS Course, claiming herself to be a Jammu & Kashmir migrant and a resident of the State of Punjab. She is claiming admission in the 85% quota of State of Punjab. The grievance raised is that respondent No.3-University is proposing to grant admission to some of the private

respondents, who though are the Jammu & Kashmir migrants, but are not residents of the State of Punjab.

2. It is submitted that for grant of admission to State quota, twin conditions would have to be satisfied i.e. the candidate must belong to the State of Punjab and has to be the Jammu and Kashmir migrant in terms of Clause 11 of Prospectus, MBBS/BDS-2025.

3. Notice of motion.

4. Mr. Animesh Sharma, Addl. A.G., Punjab accepts notice on behalf of respondents No. 1 & 2 and Mr. Naresh Kumar, Advocate accepts notice on behalf of respondent No.3-University. They pray for and are allowed three days to obtain their written instructions in the matter. Let that be done. At this stage, we are not proposing to issue notices to the private respondents.

5. List on 11.08.2025.

6. To be shown in the urgent list.

7. One seat till then shall be kept vacant in the concerned category.”

3. State has filed an affidavit of the Joint Director, Medical Education & Research, Punjab, on behalf of respondents No.1 and 2, clearly stating that both the requirements must be satisfied before the benefit of state quota can be granted to a migrant from Jammu & Kashmir inasmuch as he is also required to be a resident of State of Punjab in addition to his status as a migrant from Jammu & Kashmir. Instructions have also been issued to the respondent – University to proceed accordingly in the matter.

4. In view of the stand so taken by the respondents, this petition is liable to succeed and is accordingly allowed. Mandamus is issued to the respondents to act in terms of the instructions issued by the State Government, copy whereof is annexed along with the affidavit filed today.

5. All pending misc. application(s), if any, also stand disposed of.

(ASHWANI KUMAR MISHRA)
JUDGE

(ROHIT KAPOOR)
JUDGE

11.08.2025
rajesh

1. Whether speaking/reasoned? : Yes/No
2. Whether reportable? : Yes/No