

IN THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM & ARUNACHAL PRADESH)

WRIT PETITION No.415 OF 2015

Ogul Yao,
D/o Shri Tagin Yao, R/o Komkar Village,P.O/P.S.
Geku, District Upper Siang, Arunachal Pradesh.

.....petitioner

-Versus-

- 1.** The State of Arunachal Pradesh represented by the Secretary, (Health), Government of Arunachal Pradesh, Itanagar.
- 2.** The Secretary, (Health), Government of Arunachal Pradesh, Itanagar.
- 3.** The Director, (Directorate of Higher & Technical Education), Government of Arunachal Pradesh, Itanagar.
- 4.** The Director, (Medical Education), Government of Arunachal Pradesh, Itanagar.

.....Respondents

WRIT PETITION No.468 OF 2015

Miss Jirnia Taying,
D/o Shri Janu Taying, R/o Model Village, Naharlagun,
District-Papumpare, Arunachal Pradesh.

.....petitioner

-Versus-

- 1.** The Union of India, represented by the Secretary, Ministry of Health & Family Welfare, Nirman Bhawan, New-Delhi.
- 2.** The State of Arunachal Pradesh represented by the Secretary to the Department of Education, Government of Arunachal Pradesh, Itanagar.
- 3.** The Commissioner & Secretary to the Department of Health & Family Welfare, Government of Arunachal Pradesh, Itanagar.
- 4.** The Director of Medical Education & Training & Research, Government of Arunachal Pradesh, Itanagar.
- 5.** The Director, Higher Education Department, Government of Arunachal Pradesh, Itanagar.
- 6.** The Chairman, Selection Committee, APJEE, 2015, Office of the Directorate of Higher & Technical Education, Itanagar, Arunachal Pradesh.
- 7.** The Director/Registrar, St. John Medical College, Bangalore, Karnataka.
- 8.** Miss Ogul Yao, D/o Shri Tagin Yao, R/o Komkar Village, P.O/P.S.-Geku, Upper Siang District, Arunachal Pradesh

.....Respondents

For the petitioner in WP(C)468(AP)/2015 : Mr. D. K. Deori

For respondent State respondents : Ms. P. Pangu, G.A.

For respondent No.8 : Mr. D. Panging

- B E F O R E -
HON'BLE MR. JUSTICE NANI TAGIA

Date of hearing and Judgment : **04.09.2019.**

JUDGMENT & ORDER (ORAL)

None appears for the petitioner in writ petition No. WP(C) 468(AP)/2015.

2. Heard Ms. P. Pangu, learned Government Advocate for the State respondents and Mr. D. Pangging, learned counsel for the respondent No. 8 in WP(C) No. 468 (AP)/2015 and petitioner in WP(C) No. 415 (AP)/2015.

3. The petitioner in WP(C) No. 468 (AP)/2015, has challenged the minutes of the Nomination Board Meeting held on 17.09.2015 in the Office Chamber of the Directorate of Higher and Technical Education, Itanagar, whereby, the respondent No. 8 have been selected and allotted MBBS seat at St. John Medical College, Bangalore, Karnataka. The grievance of the writ petitioner is that the writ petitioner had qualified in the entrance test held for admission in MBBS course by the St. John Medical College Bangalore, Karnataka and on that basis, the Secretary, Health & Family Welfare, Government of Arunachal Pradesh had recommended her case for admission at St. John Medical College Bangalore, Karnataka by letter dated 21.07.2015 and accordingly the writ petitioner contends that the Respondent No. 8 could not have been selected by the Nomination Board Meeting held on 17.09.2015.

4. From the affidavit filed by the state respondents and by the private respondent as well as from the Minutes of the Nomination

Board Meeting held on 17.09.2015, it is apparent that selection for the MBBS seat and the subsequent seat allotment thereto, in the state of Arunachal Pradesh is made on the basis of Arunachal Pradesh Joint Entrance Examination (APJEE). In the Arunachal Pradesh Joint Entrance Examination conducted in the year 2015, the Respondent No.8 stood at merit serial No. 4, where as the petitioner was at serial No. 145 of the merit list. That is the precise reason why the respondent No. 8 was selected and allotted to the lone MBBS seat that was available in St. John Medical College, Bangalore, Karnataka for the State of Arunachal Pradesh.

5. The Writ petition No. 415 (AP)/2015 had been filed by the petitioner who is the respondent No. 8 in WP(C) 468(AP)/2015, filed against the non issuance of Nomination Letter by the respondent authorities despite being selected and allotted MBBS seat at St. John Medical College, Bangalore, Karnataka.

This Court upon consideration of the writ petition by an interim order dated 22.09.2015, was pleased to issue a direction to the respondent authorities to issue the nomination letter to the petitioner as a result thereof, Nomination Letter was issued and the writ petitioner in WP(C) 415(AP)/2015 is currently pursuing her MBBS course in St. John Medical College, Bangalore, Karnataka.

6. In view of the fact that Respondent No. 8 in WP(C) 468(AP)/2015 and writ petitioner in WP(C) 415(AP)/2015 have been allotted MBBS seat at St. John Medical College, Bangalore, Karnataka on the basis of her rank secure in Arunachal Pradesh Joint Entrance Examination held in 2015, I do not find any illegal infirmity in the impugned minutes of the Nomination Board Meeting held on 17.09.2015.

7. In that view of the matter both the writ petitions i.e WP(C) 468(AP)/2015 and WP(C) 415(AP)/2015 are closed with no any consequential directions.

JUDGE

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