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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ W.P.(C) 7224/2012

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Judgment dated 23.05.2013

DEEPALI TANEJA

..... Petitioner

Through : Mr.S.K. Rungta, Sr. Adv. with
Mr.Prashant Singh and Mr.S.K. Singh,
Advs.

versus

UNIVERSITY OF DELHI AND ANR

..... Respondents

Through : Mr.M.J.S. Rupal, Advs.

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

G.S.SISTANI J, (ORAL)

1. With the consent of counsel for the parties, writ petition is set down for final hearing and disposal.
2. Present writ petition has been filed by the petitioner under Article 226 of the Constitution of India seeking a writ, order or direction in the nature of mandamus to the respondents to allocate a seat to the petitioner for admission to PH.D in Psychology at the Department of Psychology, University of Delhi.
3. As per the petition, in the year 2008, the petitioner completed her B.A. (Hons.) programme from Department of Psychology, Kamla Nehru College, University of Delhi, in the first division. In the year 2010 the petitioner completed her M.A. (Applied Psychology) from Department of Psychology, South Campus, University of Delhi. The petitioner claims

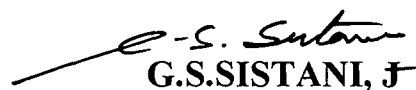
herself to be a meritorious student. The petitioner was awarded the University medal for securing the highest marks in M.A. (Applied Psychology) at University of Delhi in February, 2011. The petitioner submitted her dully filled in application form and research synopses in July, 2012, for admission to PH.D in Psychology with respondent no.2. The petitioner also appeared in the entrance examination in September, 2012, and was one of the candidates who were short listed for the interview, which was held on 8.9.2012. Based on the interview and the written test 24, candidates were short listed to present their synopsis. The name of the petitioner was shown at Sl.No.12. Admittedly, the first nine candidates were called for presentation of their synopsis. On 13.9.2012 petitioner and other candidates were called on 14.9.2012. Since the petitioner did not hear anything further from the respondent despite repeated requests the petitioner has knocked the doors of this Court.

4. The respondents have filed their counter affidavit in which it has been stated that since there were only six seats available and the petitioner had secured rank no.10 she has been declined admission. The petitioner filed an additional affidavit to show that one Ms.Ashna Gupta, who had secured less marks than the petitioner, had been granted admission whereas the petitioner has been deprived of admission. Thereafter an additional affidavit was filed by the respondent, whereby it has been brought to the notice of the Court that the said Ms.Ashna Gupta had qualified in the previous academic session i.e. 2011-2012 but her admission was put on hold as there was no Supervisor. Since a Supervisor had volunteered this year Ms.Ashna Gupta was granted admission, however, in the additional affidavit the University has conceded to the fact that there is no such procedure for keeping admission on hold and granting admission although students in the past have been

accommodated in this fashion. The petitioner has also produced in Court a confirmation from Prof. S.P.K. Jena that he would have no objection in case he has to act as a supervisor of the petitioner.

5. Learned counsel for the respondents submits that this practice has now been discontinued from 20.5.2012 by a letter addressed by the respondent to the Registrar.
6. I have heard counsel for the parties and considered their submissions. Having regard to the fact that the petitioner had approached this Court earlier by filing a writ petition; in the past the University had kept the admission of similarly situated students on hold and granted them admission; and taking into consideration that Prof. S.P.K. Jena has agreed to act as a Supervisor for the petitioner, without this case being treated as a precedent, the respondents are directed to grant admission to the petitioner in PH.D in Psychology.
7. Petition stands disposed of in above terms.
8. DASTI to the parties.

MAY 23, 2013
msr


G.S.SISTANI, J