

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Civil Writ Petition No.10987 of 2014

Date of decision: 7.9.2015

Ravneet Kaur

...Petitioner

Versus

Chandigarh University and another

...Respondents

CORAM: HON'BLE MR.JUSTICE G.S.SANDHAWALIA

Present: Mr. Madhav Pokhrel, Advocate for the petitioner.

None for the respondents.

G.S.SANDHAWALIA, J. (Oral)

The petitioner seeks refund of fee deposited for admission to B.E. (CSE) Course for the academic year 2013-14.

It is the case of the petitioner that she did not attend the classes for the reason that she got admission in M.C.M. D.A.V. College for Women, Sector 36-A, Chandigarh and legal notice was served upon the respondents to refund the fee which has not been acted upon.

In the written statement filed, the defence raised is that the petitioner had taken admission in the college and attended classes till 17.8.2013 and left the college on 19.8.2013. On account of direction of the Apex Court in **Parshavnath Charitable Trust and others Vs. All India Council for Technical Education and others 2013(3) SCC 385**, students could not be admitted after 15th August of the academic year. The fee refund policy dated 9.12.2014 was appended as Annexure R/1. Relevant Clause 5 reads as under:-

“If the admission is withdrawn after the last date of the admission, only security deposit will be refunded.”

Thus, the defence taken is that the seat has gone waste on account of the petitioner leaving after the last date of admission. It is the conceded case that security deposit has been refunded but the balance fee is not being refunded.

In view of the seat having gone waste on account of the petitioner leaving the seat after the cut off date, no direction can be issued to the respondents to refund the fee as the petitioner has herself opted for some other course.

Accordingly, the present writ petition is dismissed.

September 07, 2015
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(G.S.SANDHAWALIA)
Judge