

CWP No.13551 of 2015 (O&M)

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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CWP No.13551 of 2015 (O&M)
Date of decision:03.08.2015**

Akash Kataria

...Petitioner

Versus

The Director Public Instructions(s), Schools and another

...Respondents

CORAM: Hon'ble Mr. Justice Rakesh Kumar Jain

Present: Mr. Manhar Singh, Advocate, for
Mr. Suvir Sidhu, Advocate, for the petitioner.

Mr. Vivek Chauhan, Advocate,
for the respondents.

Rakesh Kumar Jain, J.

The petitioner passed his Matric in the year 2013 with CGPA of 5.60 from the CBSE and was eligible for admission to Class XI. He applied for admission to Class XI in the Scheduled Castes category in the Government Model Senior Secondary School, Sector-46, Chandigarh. His name appeared in the Common Merit List displayed online on 30.06.2015 on the website of the Education Department, Chandigarh, and out of 121 available seats in Humanities Stream, he obtained 114th rank. However, he was not allowed to deposit the fee on the ground that his form was incomplete as he did not produce the Scheduled Caste certificate issued in his own name. The petitioner, however, produced the Scheduled Caste certificate of his father and since the respondents did not allow admission to

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him, therefore, the present petition has been filed.

As an interim measure, he was allowed to appear in the 2nd counselling.

The petitioner has also filed an application bearing CM No.9347-CWP-2015 in order to place on record the Scheduled Caste certificate issued in his own name dated 20.07.2015 by the Tehsildar, Jhajjar. The application is allowed and the Scheduled Caste certificate of the petitioner is taken on record.

In reply filed by the respondents, it is averred that in the absence of the Scheduled Caste certificate in the name of the petitioner, he could not have been considered in the said category and was considered in the general category. In this regard, the respondents have referred to the provisions of the prospectus, which provides that "*certificate of Scheduled Caste issued by the Competent Authority of concerned State/U.T. In favour of the candidates own name*" has to be submitted.

I have heard learned counsel for the parties and examined the available record.

According to the prospectus, in order to secure admission against the reserved seat, it was incumbent upon the candidate to attach Category Certificate for admission against reserved seats along with the admission form. Admittedly, the petitioner did not attach the certificate of Scheduled Caste category, in his own name, along with the admission form. If the petitioner was keen to seek admission against the reserved category, he should have obtained the said certificate in his own name before

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applying for admission, but he has failed to do so, rightly resulting into denial of admission by the respondents.

Thus, in view of the aforesaid discussion, I do not find any merit in the present writ petition and hence, the same is hereby dismissed.

August 03, 2015
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(Rakesh Kumar Jain)
Judge