

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No. 15976 of 2015
Date of decision: 26.08.2015

SAILESH RANJAN
2015.08.26 18:18
I attest to the accuracy and
integrity of this document

Mehtab Singh Virk

....Petitioner(s)

Versus

Guru Nanak Dev University, Amritsar & others

...Respondent(s)

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

Present: Mr. N.P.S.Mann, Advocate, for the petitioner.

Mr. Amrit Paul, Advocate, for the respondents.

G.S.SANDHAWALIA, J. (Oral)

The petitioner, in the present writ petition, is seeking admission in the LL.M. Course of the respondent-University, having secured 43 marks in the entrance test.

It is the case of the petitioner that he had cleared the qualifying examinations from the Delhi University and since the 6th semester result was not available at the time of counselling held on 20.07.2015, he could not produce the same, which was produced on 22.07.2015, after getting it from Delhi. On this account, he has not been granted admission.

The defence of the University is that as per Clause 11(i), the eligibility has to be at the time of counselling, failing which, the candidate would have no claim. Thus, it is the case of the University that the petitioner was not eligible on the said date.

There is no dispute regarding the said proposition. However, it is also an admitted fact that there are two vacant seats in the main campus at Amritsar. The petitioner is, admittedly, having a higher rank than those who have been admitted. In such circumstances, nobody's interest would be jeopardised if the petitioner would be given admission against the vacant seats. The infrastructure put up by the Institute would go waste in case the said seat remains vacant and is only being filled up on merit.

Accordingly, the present writ petition is allowed. The respondents are directed to admit the petitioner in the above-said course.

26.08.2015
sailesh

(G.S. SANDHAWALIA)
JUDGE