

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

CWP No. 17160 of 2014

Date of decision: 24.09.2015

Harmanjot Kaur

....Petitioner(s)

Versus

State of Punjab & another

...Respondent(s)

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

Present: Mr.H.S.Batth, Advocate, for the petitioner.

Mr.Aman Bahri, Addl.AG, Punjab, for respondent No.1.

Mr.Naresh Kumar, Advocate, for
Mr.Manish Dadwal, Advocate, for respondent No.2.

G.S.SANDHAWALIA, J. (Oral)

The petitioner is being denied admission in the course of Bachelor of Medical Laboratory Technology (BMLT), on the ground that she has not done her subject of Biology in the 11th class.

Counsel for the petitioner has submitted that as per the eligibility criteria in the prospectus, the requirement is of having done subjects of Physics, Chemistry and Biology with at least 50% marks from a recognized institute.

The petitioner has done her 12th class from the Punjab School Education Board on 11.05.2015 (Annexure P3).

However, it is not disputed that she did not have the subject of Biology in her 11th class (Annexure P2). The prospectus refers to Government notification dated 31.03.2008. In the notification, it has been specifically provided that study of two years in the subjects of Physics, Chemistry and Biology in the Higher Secondary Examination or an equivalent examination is the requirement under Clause 4(i)(a).

Counsel for the petitioner has vehemently submitted that the case of the petitioner would fall under Clause 4(i)(e).

However, the said clause pertains to 10+2 examination of an Indian University whereas the petitioner's case is falling under Clause 4(i)(a) whereby the study of last 2 years in the science subjects, in the higher secondary examination including Biology is the requirement. In such circumstances, keeping in view the binding precedents that the prospectus and Government instructions have the force of law, no writ of mandamus can be issued to grant admission to the petitioner which would be contrary to the same.

Dismissed.

24.09.2015
sailesh

(G.S. SANDHAWALIA)
JUDGE