

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

C.M. No. 13130 of 2015 in/and
CWP No. 17692 of 2015
Date of decision: 12.10.2015

Hardilpreet Singh Mavi

....Petitioner(s)

Versus

I.K. Gujral Punjab Technical University and another

...Respondent(s)

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

Present: Mr. M.S. Virk, Advocate,
for the applicant-petitioner.

Mr. Narender Singh Kamboj, Advocate,
for respondent no. 1.

G.S.SANDHAWALIA, J. (Oral)

C.M. No. 13354 of 2015

Notice in the application.

Mr. Narender Kumar Kamboj, Advocate accepts notice and submits that he has no objection if the hearing of the case is pre-poned to today.

Accordingly, the application is allowed.

Hearing of the main case is pre-poned to today.

CWP No. 17692 of 2015

The petitioner seeks the relief of admission in the course of M.Tech. (Industrial Engineering) by direct counseling on the basis of the result of the B.Tech (Industrial Engineering) declared on 14.08.2015.

It is the case of the petitioner that he had taken admission in the

B.Tech course with Baba Banda Singh Bahadur Engineering College,

Fatehgarh Sahib, which is affiliated to respondent no. 1-university. The counseling for the admission in the M.Tech course with respondent no. 2-college was held in July, 2015 but due to the non-declaration of the result, the petitioner could not apply. The result was declared only on 14.08.2015 and on the next date there was a holiday being Independence day and 16.08.2015 was a Sunday. The petitioner had rushed to respondent no. 2-college on 17.08.2015 for taking admission but was told that the date had already expired. He submitted a representation dated 19.08.2015 (Annexure P-11) for consideration to respondent no. 1 but no action was taken in spite of repeated visits. Thus, it is the case of the petitioner that there are seats lying vacant with respondent no. 2-college and only on account of late declaration of result, he has been prejudiced.

The petitioner approached this Court immediately on 27.08.2015 and the reply was filed by the university only on 24.09.2015. Respondent no. 2 has chosen not to put in appearance. The defence taken by respondent no. 1-university is that all affiliated colleges have been authorized to conduct the process of admission till 15.08.2015 at their own level and the result had been declared well within the time before closing date. It has further been averred that the college has also been authorized to open the admission on 15.08.2015 and, therefore, there was no question to extend the date for the next working day.

The facts are not in dispute. Admittedly, the result was declared at the last moment. The petitioner has been prejudiced by not being able to apply and pursue his higher studies on account of the late declaration of the result. Once the respondent-university knew that the last date is 15.08.2015, result should have been declared much earlier to give the

petitioner sufficient time to apply for admission. The fault thus, lies with the university. 15th August is a national holiday and the next date being Sunday, it is apparent that the petitioner could not act on the declaration of the result and could not have been able to apply in the absence of any detailed mark card.

In such circumstances, the petitioner is entitled for admission on the strength of his detailed mark card issued on 14.08.2015. Respondent no. 2 shall consider his case for admission if the petitioner approaches within one week from today and the university shall not raise any objection on the late admission of the petitioner in case any seats are lying vacant. In case there is shortage of lectures, respondent no. 2-institute will make attempts to ensure that additional classes are conducted so that the petitioner makes up for the loss of his classes for the last two months.

With the abovesaid observations, the writ petition stands allowed.

12.10.2015
shivani

(G.S. SANDHAWALIA)
JUDGE