

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.17742 of 2015

Date of decision: 02.09.2015

Aymen Saini

....Petitioner(s)

Versus

Guru Nanak Dev University & another

...Respondent(s)

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

Present: Mr.Arnab Sood, Advocate, for the petitioner.

Mr.Amrit Paul, Advocate, for respondents No.1 & 2.

G.S.SANDHAWALIA, J. (Oral)

Relief claimed in the present writ petition is to allow the petitioner to participate in the 3rd counselling and admit the petitioner in the Five Years Law Course, commencing from 28-29.08.2015. On 25.08.2015, the following order was passed by this Court:

“Contentends that the petitioner opted for admission in the Five Years B.A.LL.B.(Hons) Course with the respondent-University. Admission is on the basis of marks obtained in the qualifying examination of 10+2. The petitioner has 78.6318% marks and had on the basis of 1st counselling given option for St.Soldier Law College, Jalandhar and was allotted a seat at the said College.

As per Clause 13 of the Prospectus there are to be three counsellings. Shifting/conversion of seats is also permissible on payment of ₹ 1000/- fee. The petitioner had given option to shift to 2nd counselling also and was also allotted a seat at K.C.L.Institute of Laws, Jalandhar on 16.8.2015 (Annexure P/5). For the 3rd counselling on line bank slip was to be generated between 20th and 21st August, 2015 (Annexure P/3) and last date to deposit the fee was 22.8.2015. The petitioner was able to generate on line bank slip a day earlier on 19.8.2015 though it was to be done on 20.8.2015. While depositing the fee on 22.8.2015, the record was not tallying and fee of ₹ 1000/- was not allowed to be deposited. The system having locked/closed down it was not permissible for the University to permit the petitioner to deposit the fee. It is accordingly submitted that due to fault in the system the petitioner's right had been taken away. Reference is made to the merit list to

show that another person having 78.6026% marks consumed the seat at Sr. No.214.

Notice of motion for 31.8.2015.

Dasti only.

In the meantime, the petitioner's case be considered for admission in the 3rd counselling.

It is made clear that this order is purely provisional and the petitioner shall not be entitled to claim equity at a subsequent point of time.

A copy of this order be supplied to the counsel for the petitioner under the signature of the Special Secretary of this Court."

In view of the interim order, the petitioner's case was considered for the 3rd counselling and he has been allowed Guru Nanak Dev University, Regional Centre, Gurdaspur, on provisional basis.

Counsel for the petitioner submits that he would be satisfied if the admission is regularized in the said college.

Counsel for the University also submits that due to a technical glitch that the online bank slip was generated a day earlier and the petitioner was, thus, found ineligible and could not deposit the fee on time. It was merely an error and there was no fault on the part of the petitioner.

Accordingly, the present writ petition is disposed of, with a direction that the petitioner's admission at the Guru Nanak Dev University, Regional Centre, Gurdaspur, be regularized.

02.09.2015
sailesh

(G.S. SANDHAWALIA)
JUDGE