

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 19283 of 2014
Date of decision: 15.01.2015

Siddharth Saini

... Petitioner

versus

State of Haryana and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Ms. Gagan Sharma, Advocate, for the petitioner.

None for respondent No.3.

K.Kannan, J.

Respondent No.3 has been served but there is no representation.

The petitioner obtained admission in 3rd respondent College in Bachelor of Computer Application Course (BCA). After going through the classes for two semesters, the University did not issue the detailed marks certificate and when pressed for reasons, it was informed that the admission had been wrongly done and the petitioner did not have the requisite qualifications. The minimum qualification was average in aggregate 45% in +2 examinations, while the petitioner had only 43.12%. Evidently, the admission granted was wrong and the petitioner could not have the benefit of continuation of the course. I will not fault the decision not to permit the petitioner to continue and to decline to issue the detailed marks certificate. But I will find the 3rd respondent guilty of wrongly admitting the student and spoiling one whole year. It is not a case of any misrepresentation made by the petitioner and if the 3rd respondent allowed for admission to a student who was not eligible, it is a serious mistake in allowing the student to continue and waste his time and resources.

The petitioner has paid ₹ 6,869/- by ways of tuition fees and other fees as evidenced by Annexures P1 and P2. The petitioner has also lost one whole year of study. I will quantify the loss at ₹ 25,000/- and direct

the 3rd respondent to pay the same to the petitioner.

Since, there is no representation on behalf of the 3rd respondent, the petitioner may serve the copy of the order on the 3rd respondent and he shall pay the sum, within a period of two weeks, from the date of receipt of the copy of the order.

Writ petition is order to the above extent only.

15.01.2015
Kumud

(K.KANNAN)
JUDGE