

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.22190 of 2014 (O&M)

Date of Decision.12.02.2015

Bhupinder Singh

.....Petitioner

Versus

Punjabi University, Patiala and others

.....Respondents

Present: Mr. Ashish Verma, Advocate
for the petitioner.

Ms. Vandana Malhora, Addl. A.G., Punjab
for respondent No.2.

Mr. Vipul Jindal, Advocate
for respondent Nos.1, 3 and 4.

Mr. S.S. Sidhu, Advocate
for respondent Nos.5 and 6.

CORAM:HON'BLE MR. JUSTICE K. KANNAN

1. Whether Reporters of local papers may be allowed to see the judgment ?
2. To be referred to the Reporters or not ?
3. Whether the judgment should be reported in the Digest?

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K. KANNAN J. (ORAL)

C.M. No.2000 of 2015

Application is allowed.

Short written statement filed on behalf of respondent Nos.1,
3 and 4 is taken on record.

CWP No.22190 of 2014

1. Written statement filed on behalf of respondent No.2 is taken on record.
2. The petitioner has a grievance that he being the first wait listed candidate ought to have been admitted if there was any vacancy.

Two additional seats were created and the 7th respondent was admitted to the 2nd respondent college. While the University would state that the additional seat was created at the asking of the college when the college places on record a communication from the University that suggests that the extra seats were required to be created and two candidates were required to be admitted and the additional seat was created only at the instance of the University. The counsel appearing on behalf of the University says that he will have no objection to the petitioner being admitted to the additional seat created and if it results in disallowing the 7th respondent to be removed from the rolls, he will have no objection. The 7th respondent has been served but there is no justification given as to how the 7th respondent could have been admitted when the petitioner had already been a wait listed candidate and was next in the order of merit if there was additional seat available.

3. I allow the writ petition by a direction to create an additional seat and let the 7th respondent retain her seat by sheer gratis. It will be open to the University to take any action against the 7th respondent as regards her continuance after serving notice to her and giving her opportunity to justify the retention of her seat. I have not considered the issue as regards attendance or how the petitioner would cope with the requirements for taking the examination in the first semester. The petitioner's right will be governed by the appropriate rules in that regard.

(K. KANNAN)
JUDGE

February 12, 2015
Pankaj*