

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

CWP No.25552 of 2015

Decided on : 14.12.2015

Rinkal

... Petitioner

Versus

Registrar, Kurukshetra Universtiy & another

... Respondents

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

Present : Mr.Harneek Singh, Advocate, for
Mr.B.D.Sharma, Advocate, for the petitioner.

G.S. Sandhawalialia , J. (Oral)

The petitioner seeks quashing of the letter dated 26.10.2015 (Annexure P6) whereby her admission for MA English has been cancelled on account of her getting a re-appear in a lower examination.

A perusal of the application dated 01.07.2015 (Annexure P1) would go on to show that the petitioner's examination of BA had not been cleared and the result was awaited and it is not disputed that she has got a re-appear in the subject of Political Science.

Counsel for the petitioner submits that the petitioner sat in the written test in July, 2015 and was selected on the basis of her merit and therefore, is entitled to continue in her course. Reliance is placed upon Clause 1 of the General Instructions which provide that responsibility for wrong and irregular admission would rest upon the Principal of the College/Institute. It is, accordingly, contended that the petitioner was entitled to continue, in such circumstances.

The said argument is without any basis. As per the eligibility clause No.4 of the instructions/guidelines to various courses, for the session 2015-16, compartmental candidates are not eligible to various Post-Graduate courses. A perusal of Annexure P1 would also go on to show that the petitioner signed the form and noticed that her admission to the University and her continuance on the rolls is subject to the provisions/rules of the University.

The petitioner was, accordingly, well aware that she was not entitled for admission having a compartment in the subject of Political Science which she, admittedly, has not cleared. In such circumstances, she, being well aware of the terms and conditions of the admission brochure, now cannot turn-around and say that the University was at fault.

The admission being provisional, at the initial stage, can always be cancelled by the University, who cannot be directed to continue the petitioner against its statute/regulations. It was not the case of the petitioner that she was allowed to sit in the examination, thereafter. The University has remained vigilant in processing her admission form and in such circumstances, no indulgence can be shown to the petitioner.

Writ petition is, accordingly, dismissed, in limine.

DECEMBER 14, 2015
sailash

(G.S. SANDHAWALIA)
JUDGE