

CWP No.26436 of 2014

[1]

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

**CWP No.26436 of 2014
Date of decision:18.05.2015**

Priyanka Garg

...Petitioner

Versus

Union of India and others

...Respondents

CORAM: Hon'ble Mr. Justice Rakesh Kumar Jain

Present: Mr. Arun Bansal, Advocate,
for the petitioner.

Ms. Sheena, Advocate, for
Mr. Naveen Chopra, Advocate, for respondent no.1.

Mr. D.V.Sharma, Senior Advocate, with
Ms. Kanika Advocate, for respondents no.2 to 5.

Mr. Rakesh Gupta, Advocate,
for respondent no.7.

Rakesh Kumar Jain, J.

The petitioner applied for migration from the Panjab University Regional Centre, Ludhiana (hereinafter referred to as the “PURC, Ludhiana”) to the University Institute of Legal Studies, Panjab University, Chandigarh (hereinafter referred to as the “UILS”) in the 5th semester. As per information supplied to the petitioner on her application filed under Right to Information Act, 2005, there was only one seat available in the 5th semester.

In the reply filed by the respondents, it is averred that the petitioner and respondent no.7 sought migration in the 5th semester. Respondent no.7, who was studying in Law College, Railmajra, secured 1675 out of 2400 marks i.e. 69.79% and the petitioner, who is studying in

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PURC, Ludhiana, secured 1589 out of 2400 marks, i.e. 66.21%. In the tentative merit list prepared for the migration to 5th semester, respondent no.7 was at Sr. No.4, whereas the petitioner was at Sr. No.10. The counselling for the candidates who were seeking migration to 5th semester was held on 20.10.2014 in which respondent no.7 and Dinesh Chadha attended the counselling but the candidates in merit at Sr. No.1 to 3 and the petitioner did not report for the counselling. An emergent meeting was held by the Board of Control of the UILS and allowed the migration of respondent no.7 in the 5th semester, as per rules.

It is admitted by the petitioner in para no.13 of its petition that she could not come for interview as no proper notice was given to her in this regard, meaning thereby she did not participate in the counselling. Even otherwise, there was only one seat and in the counselling, candidates at Sr. No.1 to 3 and the petitioner did not participate and hence, the said seat was offered to respondent no.7, who was at Sr. No.4, whereas the petitioner was at Sr. No.10, even far behind than Dinesh Chadha who was at Sr. No.5.

In the present petition, the petitioner has prayed for a writ in the nature of *mandamus*, directing the respondents to frame specific rules for migration. The writ petition, to my mind, is misconceived because specific rules have already been framed which have been reproduced by the petitioner himself in para 5 of the writ petition.

In view thereof, there is hardly any reason to interfere in this writ petition and hence, the same is hereby dismissed.

May 18, 2015
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(Rakesh Kumar Jain)
Judge