

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 957 of 2014 (O&M)
Date of decision: 29.01.2015

Kuljit Singh

... Petitioner

versus

State of Punjab and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE K. KANNAN

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

Ms. Vandana Malhotra, Addl. Advocate General, Punjab.

Mr. Ashok Kumar Sharma, Advocate,
for respondent Nos. 2 and 5-applicant.

None for respondent No.3.

Mr. Tribhawan Singla, Advocate, for respondent No.4.

K.Kannan, J. (Oral)

CM No. 1182 of 2015

CM is allowed.

Reply filed on behalf of respondent Nos. 2 and 5 filed in
Court is taken on record.

CWP No. 957 of 2014

This petition is for refund of the fee paid by the petitioner at the time of vacating the seat on the basis that in terms of AICTE public notice that the entire fee collected from the students after deduction of the processing fee of ₹ 1,000/-, shall be refunded if the wait listed candidates are given admission against the vacant seat. The petitioner has also made an averment in para No.5 setting out the names of students, who, according to him, had been admitted on petitioner opting out of the course.

On both the contentions, the College has joint issues and

stated through an affidavit of the Principal of the College that seat vacated by the petitioner remained vacant throughout and it has not been filled up. On contentions raised by the petitioner in para No.5, the College has produced a copy of the accounts that discloses that all the students named by the petitioner had been admitted before the date when the petitioner vacated the seat. The counsel for the petitioner would submit that the mere accounting entries are not sufficient and they must show the proof that the admission had been given on the date as the entries in the accounts vouch for. I do not think such course is necessary for an account maintained in its annual course by a College must obtain credence for acceptance without any further proof and more so, when the assertion is made through an affidavit of the principal.

The writ petition is dismissed with above observations.

29.01.2015
Kumud

(K.KANNAN)
JUDGE