

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

**CWP No. 9228 of 2015 (O&M)
Decided on 15.05.2015**

Ramnish

--Petitioner

Vs.

State of Punjab and another

--Respondents

CORAM: HON'BLE MR.JUSTICE RAKESH KUMAR JAIN

Present: Mr. S.M.Sharma, Advocate, for the petitioner

RAKESH KUMAR JAIN, J:

The petitioner has prayed for a writ in the nature of mandamus, seeking a direction to respondent No.2, to consider and admit the son of the petitioner in the ongoing admission and counseling for five years course of Bachelor of Veterinary Science and Animal Husbandry (for short B.V. Sc & A.H) in the category of Tsunami victims (Ward/Children) of the Ex-servicemen settlers of Punjabi origin at Campbell Bay Island in the Andaman & Nicobar Island.

The learned counsel for the petitioner has submitted that that as per Certificate dated 07.7.2008 (Annexure P1), issued by the office of Tehsildar Great Nicobar Island, Campbell Bay, Smt.Raksha Devi wife of Naipal Singh resident of Jogindernagar, Campbell, was paid a compensation of ₹ 13,000/- for her loss sustained due to Tsunami on 26.12.2004. It is

submitted that up to the sessions 2014-15, respondent No.2 had been giving

reservation to the Tsunami victims whereas in the sessions 2015-16, the said reservation has been abolished, as a result thereof, right of the petitioner has been adversely affected. It is, thus, argued by learned counsel for the petitioner that an appropriate direction be issued to respondent No.2. to continue with the policy of admission to the Tsunami victims and consider the case of the son of the petitioner for admission in that category.

The petitioner has also filed an application bearing CM No. 6547 of 2015 in order to place on record Annexure A-1. The application is allowed. The said letter Annexure A-1 dated 08.3.2005 is written by the Government of Punjab, Department of Agriculture, to the Vice Chancellor, Punjab Agriculture University, Ludhiana, with regard to immediate relief package announced by the Chief Minister, Punjab, for Tsunami affected people including reservation of 1% seats in Educational Institutions of the State including the Engineering College.

I have heard learned counsel for the petitioner and perused the record.

There is no doubt that Tsunami had occurred in the Andaman and Nicobar Island on 26.12.2004. Thereafter, as an immediate relief package, vide letter dated 08.3.2005, written by the Government of Punjab, the Vice Chancellor, Punjab Agricultural University, Ludhiana reserved 1% seats for the tsunami affected students. It was a policy for immediate relief which continued for 10 years and has now been discontinued. The petitioner by way of the present writ petition cannot compel the respondents to continue the said policy as neither the petitioner has any vested right nor the corresponding duty on the part of the respondents for

the purpose of issuance of a writ of mandamus.

Therefore, I do not find any merit in this petition and the same is hereby dismissed.

15.05.2015
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(Rakesh Kumar Jain)
Judge