

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

**CWP No. 9738 of 2015
Decided on 15.05.2015**

Nikhil Kumar

--Petitioner

Vs.

State of Haryana and others

--Respondents

CORAM: HON'BLE MR.JUSTICE RAKESH KUMAR JAIN

Present: Mr.Ashwani Bhardwaj, Advocate, for the petitioner

RAKESH KUMAR JAIN, J:

The petitioner has challenged the order of cancellation of his admission in B.Tech (M E). It is submitted that the petitioner got admission in diploma course of Mechanical Engineering -2010 in Saraswati College of Polytechnic Hisar, under the control of Haryana State Board of Technical Education, Panchkula. He appeared in the 6th semester of the diploma in June, 2013 and got supplementary in three subjects. In July, 2013, he applied for admission in B.Tech in the College of respondent No.3 in management quota and was given provisional admission in the academic year 2013-14. It is submitted that respondent No.3 had instructed the petitioner that he would have one chance to clear the 6th semester of diploma and if he would not be able to pass it, then his admission would be

cancelled.

The petitioner allegedly appeared in the supplementary examination held in December, 2014 and the final result of the diploma was submitted to respondent No.3 for regularisation of his admission in B.Tech (M E). He appeared in B. Tech 3rd semester in January, 2014 and passed it. He was upgraded to 4th semester by respondent No.3. The 4th semester was also cleared in the year 2014. Thereafter, he appeared in the 5th semester held in November, 2014 but the result has not yet been declared. The petitioner was admitted in 6th semester and vide letter dated 17.3.2015, schedule of the examination of 6th semester was notified including the date of practical examination commencing from 06.5.2015 to 11.5.2015 and theory examinations from 26.5.2015 onwards. The petitioner was not given the Roll Number for the Theory paper and on verification he came to know that his admission has already been cancelled on 4.12.2014 by the University and information was allegedly delivered to him on 29.12.2014. It is submitted that cancellation of his admission is illegal because the petitioner had passed three years diploma in engineering and was eligible.

It is further submitted that the petitioner has been kept in dark by the respondents about cancellation of his admission. He had appeared in B.Tech (ME) 3rd semester which is otherwise 1st semester for the students who had taken the admission after diploma. Had the petitioner not been eligible, he should have been informed.

I have heard learned counsel for the petitioner and after perusing the record, it is clear that at the time when the petitioner took the admission in B.Tech (ME) in the year 2013-14, he was not eligible because he had passed the diploma course later, which was a pre-requisite for

seeking admission in B.Tech (ME).

In view thereof, there is no error in the order impugned herein.

Therefore, the preset writ petition is dismissed, being denuded of any merit.

15.05.2015
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(Rakesh Kumar Jain)
Judge