

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

LPA No.1421 of 2014(O&M)

Date of decision:1.4.2015

Ms. Yashvika

....Appellant

VERSUS

Registrar, Panjab University Chandigarh and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HEMANT GUPTA

HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. G.S. Ghuman, Advocate for the appellant.

Mr. B.L. Gupta, Advocate for respondent No.1.

Mr. Shekhar Verma, Advocate for respondent No.3.

Mr. Gurminder Singh, Senior Advocate with
Mr. Yagyadeep, Advocate for respondent No.5.

HEMANT GUPTA, J.(Oral)

The present Letters Patent Appeal under Clause X of the Letters Patent is directed against an order passed by learned Single Bench on 05.08.2014 whereby the claim of the appellant for admission as dependant of ex-serviceman to MBBS course in the Chandigarh Medical College was declined.

Admittedly in the prospectus issued for admission to MBBS course by the Chandigarh Administration does not contain any reservation for the dependants of ex-servicemen. The claim of the appellant for reservation is based upon the earlier policy issued in the year 1993 and the prospectus issued by Chandigarh Administration to B.Tech degree course.

We do not find that on the parity of the reservation in other institutes, the appellant can claim reservation for admission to MBBS course when the brochure itself does not contain any reservation for the purposes of admission. Course of which the appellant is an aspirant, there is no provision for reservation. The reservation is a concession which has to be consciously granted by the Administration. In the absence of a positive decision of the Administration to grant reservation, the appellant cannot claim reservation as a dependant of ex-serviceman.

Consequently, we do not find any merit in the present appeal.

Dismissed.

(HEMANT GUPTA)
JUDGE

APRIL 1, 2015
‘D. Gulati’

(LISA GILL)
JUDGE