

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGRH

LPA No.1514 of 2015

Date of decision: 26.11.2015

Harmandeep Singh Brar

...Appellant

Versus

Union of India and others

...Respondents

CORAM: HON'BLE MR. JUSTICE S.S. SARON.
HON'BLE MR. JUSTICE AMOL RATTAN SINGH,

Present: Mr. Parminder Singh Rai, Advocate,
for the appellant.

Mr. Dheeraj Jain, Advocate,
for respondent No. 1.

Mr. Arun Bakshi, Advocate,
for respondent No. 2.

Mr. Deepak Sharma, Advocate,
for respondent No. 3.

Mr. Shubhjot Singh Chadha, Advocate,
for respondent No. 4.

S.S. Saron, J.

This appeal has been filed by the appellant Harmandeep Singh Brar against the judgment and order dated 30.09.2015 passed by learned Single Judge in CWP No.18194 of 2015 whereby his petition has been dismissed.

The appellant prayed for grant of admission to the five years Bachelor of Architecture Degree Course in the College of Architecture, Chandigarh (respondent No.3). According to the appellant, he was higher in rank than Vaibhav Passi (respondent No.4) inasmuch as his rank was at No.61 while that of Vaibhav Passi (respondent No.4) ranked at No.68.

The case set up by the appellant is that he after passing 10+2 from the Central Board of Secondary Education in May 2014

appeared for the Joint Entrance Examination 2014, conducted by the Central Board of Secondary Education for admission to Bachelor of Architecture degree course. The appellant secured 61st overall rank in the State and 58th category rank for Bachelor of Architecture. Five seats were kept reserved for the category of nominees of States/Union Territories deficient in technical education. These were initially included amongst the 40 seats that were to be filled for the B.Arch. course in respondent No. 3-College. Later these were taken as separate seats and five seats became available for admission to Bachelor of Architecture. Vaibhav Passi (respondent No. 4 herein) filed CWP No.22077 of 2014. This Court granted provisional admission to Vaibhav Passi (petitioner in CWP No. 22077 of 2014) and Harmandeep Singh Brar (appellant herein who was respondent No. 4 in CWP No. 22077 of 2014), vide order dated 08.12.2014. However, the 1st semester had ended on 28.11.2014. The appellant in consequence of the order dated 08.12.2014 deposited his admission fee on 12.12.2014 for the 1st semester. He was granted admission in 2nd semester but according to the appellant, respondent No. 3-College of Architecture did not allow him to attend classes after 01.07.2015. The appellant attended the classes from 19.01.2015 to 25.04.2015 but he was not allowed to appear in the 2nd semester examination.

On last date of hearing, learned counsel for the appellant submitted that candidates lower in merit to the appellant were attending first semester classes and the appellant be also allowed to attend the first semester classes. Mr. Arun Bakshi and Mr. Deepak Sharma, Advocates for respondent Nos.2 and 3 respectively prayed for time to seek instructions.

Today when the case was taken up, learned counsel

appearing for respondent No.2, Panjab University, Chandigarh has submitted a letter dated 20.11.2015 from the Chairperson of the Joint Admission Committee-2015 (JAC-2015) addressed to the Registrar, Panjab University, Chandigarh wherein it is mentioned that representative from the Chandigarh College of Architecture (respondent No.3) had informed that one seat was vacant and students lower in merit than the appellant had been admitted by the Chandigarh College of Architecture by implementing the High Court order. The Committee felt that there should not be any objection in admitting the appellant Harmandeep Singh Brar against the one seat of 2014-15 Session with the condition that he would join the first semester during the session 2015-16.

Mr. Parminder Singh Rai, Advocate, learned counsel for the appellant is agreeable to the said condition and submits that the appellant would join the first semester of the on-going session 2015-16.

Learned Counsel appearing for the respondents also have agreed to the same.

In the circumstances, the LPA has been rendered infructuous and is disposed of with the order that the appellant would join the first semester of 2015-16 session of Bachelor of Architecture Course. There shall be no order as to as costs.

(S.S. Saron)
Judge

26.11.2015
P.Kakkar

(Amol Rattan Singh)
Judge