

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.12092 of 2009
Decided on :05.08.2016

Inderjeet Singh

... Petitioner

Versus

Chandigarh Administration & others

... Respondents

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

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

Mr.Digvijay Singh, Advocate, for respondents No.2 & 3.

G.S. Sandhawal, J. (Oral)

The petitioner has approached this Court for a direction that he be admitted in the B.Tech 4 Year course, as per his merit in the All India Engineering/Architecture Entrance Examination, 2009, in the reserved category of Terrorists Affected/Riot Affected/Displaced Persons, for the session 2009-10. The admission was sought on the ground that there was 2% reservation for the sons/daughters/husband/wife/brothers/sisters of the persons killed/incapacitated in November, 1984.

Petitioner's case is that his family had to shift from Dalton Ganj, District Palamu, Bihar in the November, 1984 riots and that the petitioner and his father were displaced persons. The petitioner had been issued a Red Card by the District Authorities of Ropar (Annexure P3). However, consideration was not being given on the ground that nobody from the family had been killed or incapacitated and therefore, the petitioner would not fall under Category No.27.

Interim orders were issued in favour of the petitioner on 11.08.2009 and he was provisionally admitted. It is not disputed that the

course of B.Tech is 4 years' course and the petitioner would have, in all likelihood, completed the said course. At this stage, it would not be equitable, as such, to come to the conclusion that the petitioner was not eligible, under the provisions of the prospectus as it would be putting the clock back for the petitioner.

Resultantly, the present writ petition is disposed of, by confirming the interim orders dated 11.08.2009. In case the petitioner has successfully passed out of the said course and has not been issued the regular degree, needful be done by the respondent-University and necessary certificates be issued, accordingly.

AUGUST 5th, 2016

sailesh

**(G.S. SANDHAWALIA)
JUDGE**

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No