

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

CWP No.10854 of 2016

Date of decision : 13.06.2016

Bobby Girdhar

...Petitioner

Versus

Panjab University Chandigarh and another

...Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL.

1. Whether reporters of local newspapers may be allowed to see judgment ?
2. To be referred to reporters or not ?
3. Whether the judgment should be reported in the Digest ?

Present: Ms. Anju Arora, Advocate for the petitioner.

Mr. Munish Kumar Chaudhary, Advocate for the respondents.

AMIT RAWAL, J. (Oral)

Prayer in the present writ petition is for issuance of writ in the nature of mandamus directing the respondents to make necessary correction in prospectus (Annexure P-9) of PU LLB 3 (years) 2016 and writ in the nature of certiorari for quashing the impugned clause where reservation have been given only to blind category candidates whereby there is no category of physically handicap, deaf and dumb, as per the provisions of Persons With Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 and to further quash the eligibility condition clause where only BC/SC/ST have been given relaxation of 40% excluding disabled candidates.

Ms. Anju Arora, learned counsel appearing on behalf of petitioner

submits that as per the prospectus and handbook of the information, 3% reservation of physically handicap candidates i.e. deaf and dumb, blind and orthopedically handicap as per the Act, has to be given to the candidates falling under the aforementioned category. The handicap candidates should have minimum 40% disability duly certified by MCI/State/UT/Medical Institute of National Corporation. In this regard, she has drawn attention of this Court to Clause 2(iv) of the Rules for regularization to the Courses offered by the University Teaching Department/Scientific Institutes.

She further submits that application was submitted through online process but there was no category except for the blind person therefore aggrieved present writ petition has been filed.

Mr. Munish Kumar Chaudhary, learned counsel appearing on behalf of respondent has filed reply in the Court today. He submits that University has granted 3% reservation in respect of all the person falling under the deaf and dumb category and other and the application has been accepted. The entrance test is scheduled to be held on 19.06.2016 and the petitioner shall be issued roll numbers.

Ms. Anju Arora, submits that handicapped person has to be given 5% relaxation in the marks under the “physically handicapped category” in the minimum eligibility criterion for the course subject to the minimum disability of 40%.

Mr. Chaudhary, submits that University/Department shall apply the provisions of the Act in its letter and spirit and there shall be no deviation.

In view of the aforementioned statement made by the learned counsel for the petitioner and the fact that form of the petitioner has been accepted and further he shall be issued roll number and benefit of 5% in marks as sought

undertaken to be considered. No further cause survives in the present writ petition.

Present writ petition is disposed of in aforementioned observation.

13.06.2016

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**(AMIT RAWAL)
JUDGE**