

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

**CWP No.15226 of 2016
Decided on :22.11.2016**

Sahil Sura

... Petitioner

Versus

The Secretary/Chairman, Punjab State Board Technical Education and
Industrial Training and others

... Respondents

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

Present : Mr. Anil Kumar Malik, Advocate
for the petitioner.

Mr. Amrinderjit Singh, Advocate
for respondents No.1 and 2.

Mr. Subhash Ahuja, Advocate
for respondents No.3 and 4.

G.S. Sandhawalia, J. (Oral)

The petitioner has approached this Court for seeking directions against respondents No.3 and 4 to allow him provisionally in the counselling for lateral entry in B.E. 2nd year in Civil Engineering. The same was sought on the basis, that the result of the petitioner in the 3 years diploma of Civil Engineering has not been declared, the examinations of which had been conducted in the month of May, 2016.

It is a matter of record that vide interim order dated 29.07.2016, the petitioner had been directed to be provisionally allowed for counselling, which was to be held on 01.08.2016. In case he was within the zone of consideration, respondent No.4 had to keep one seat for him, subject to the final decision of the writ petition. The said order was purely provisional.

The case of the petitioner is that in pursuance of the said order he has deposited ₹36,010/- by way of pay order in favour of Chandigarh

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College of Engineering and Technology, Sector-26, Chandigarh. The copy of the draft and the photocopy of the seat allotment has been placed on record to show that there was a provisional admission, subject to the final outcome of the present writ petition.

The objection of the respondents No.3 and 4 in the written statement was that the petitioner was not as such eligible as his result was declared as R.L in various semesters.

The petitioner in his replication has placed on record the result declared of the semesters except the result of the 3rd semester.

Counsel for respondents No.1 and 2 has now placed on record photocopy of the result declared on 21.11.2016 of the 3rd semester, which was conducted in May, 2016 to show that the petitioner has passed.

Keeping in view the fact that in view of the interim order dated 29.07.2016, the petitioner had been admitted by the college and has been studying, at this stage, it would not be appropriate to disturb the provisional admission. The seat cannot be filled by anyone at this belated stage and the same would go vacant.

Accordingly, this Court is of the opinion that interim order dated 29.07.2016 is liable to be confirmed.

Ordered accordingly.

NOVEMBER 22, 2016
Naveen

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No