

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

Civil Writ Petition No.18521 of 2016

Date of decision: 27.10.2016

Ashish Lamba

..Petitioner

Versus

Kurukshetra University, Kurukshetra and another

...Respondents

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

Present: Mr. S.S.Gill, Advocate for the petitioner.

Mr. A.S.Virk, Advocate for the respondents.

G.S.SANDHAWALIA, J. (Oral)

The petitioner seeks admission in the 3 years LL.B. (Professional) Course on the strength of certificate of participation in the 66th National Basketball Championship for Junior Men and Women held on 2nd to 9th October, 2015 at Ludhiana (Annexure P/1) against additional seats reserved for Outstanding Sports Persons. Reliance has also been placed upon the B-II grade certificate issued by the Deputy Director, Department of Sports and Youth Affairs, Haryana (Annexure P/2).

The petitioner was informed that he was ineligible vide communication dated 22.8.2016 (Annexure P/5) under the Right to Information Act, 2005. Resultantly, he filed the present petition on the ground that reasons have not been mentioned and there was a vacancy against the said quota.

In reply filed by the respondent-University, reliance has been placed upon the norms for outstanding sports persons. It has accordingly been mentioned that for getting admission against the said quota participation in the junior national championship would not make the

petitioner eligible. As per norms for Outstanding Sport Persons, person had to at least represent the University/State in the Inter-University/National Level (National Championship, Federation Cup, International League etc.) Tournaments. No lower achievements were to be accordingly considered even if seats remain vacant.

The petitioner's case had been duly considered and the Director Sports of respondent-University had verified that achievement of the petitioner was not covered under the category of outstanding sports persons. Therefore, admission was not granted to the petitioner.

The above reasoning which have been given in the written statement seems to be a valid reasoning. The petitioner participated in the 66th National Basketball Championship for Junior Men and Women though at National level. But he not represented the University/State in the Inter-University/National Level (National Championship, Federation Cup, International League etc.) Tournaments as per norms for the said quota. In such circumstances claim of the petitioner against the additional seats meant for outstanding sports persons cannot be considered on the strength of the participation at the Junior Level.

In view of above, the petitioner has no legal and inforceable right which would warrant inference in exercise of jurisdiction under Article 226 of the Constitution of India.

Accordingly, the present writ petition is dismissed.

October 27, 2016
Pka

(G.S.SANDHAWALIA)
Judge

Whether speaking/reasoned

Yes/No

Whether reportable:

Yes/No

Pardeep Kumar
2016.10.31 12:05
I attest to the accuracy and integrity
of this document
Punjab and Haryana High Court,
Chandigarh