

CWP No.20574 of 2015

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

**CWP No.20574 of 2015
Date of decision:04.04.2016**

Supriya Sharma

...Petitioner

Versus

Panjab University, Chandigarh and others

...Respondents

CORAM: Hon'ble Mr. Justice Rakesh Kumar Jain

Present: Mr. N.S. Minhas, Advocate,
for the petitioner.

Mr. Indresh Goel, Advocate,
for the respondents.

Rakesh Kumar Jain, J.

The petitioner is the daughter's daughter of Murari Lal, who was killed by the terrorists in Kurali in the year 1989. She applied for admission in the B.Tech. (1st year) on 17.07.2015 in the Riot Victim Category, which was declined by the respondent-University on 04.08.2015 on the ground that her request is not covered by Clause 5.2.27 of the Information Brochure of JAC-2015.

Counsel for the petitioner has relied upon a decision dated 14.08.2015 taken by the Vice Chancellor of the respondent-University in anticipation of the approval of the Syndicate regarding amendment of Rule 2(B)(vii) of the Panjab University Handbook of Information-2015 for the current session 2015-16, in which existing and proposed rules were mentioned and direction was issued to the colleges affiliated to the

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respondent-University to implement the decision by giving fresh admission notice. The petitioner has also referred to a decision of this Court in the case of **Sohail Singh Sodhi vs. State of Punjab and others**, CWP No.17999 of 2014, decided on 09.12.2014.

On the other hand, counsel for the respondent-University has submitted that the Syndicate meeting held on 19.07.2015 authorized the Vice Chancellor to constitute a Committee with regard to amendment in the relevant rules, the minutes of the said Committee were received on 05.08.2015 by the Joint Admission Committee-2015 and in the meeting of Coordination committee of JAC-2015 of Dr. SSBUI CET held on 06.08.2015, all the points were duly deliberated and decision was taken as per which the petitioner was not found eligible for admission as she did not fulfill the admission criteria in the quota of riot victim category.

I have heard learned counsel for the parties and examined the available record.

The petitioner is allegedly the daughter's daughter of Murari Lal, a victim of terrorist attack. The relevant clause providing 2% reservation for the riot victim category is as under:-

“2% for Sons/Daughters/Husband/Wife/Brothers/Sisters of persons killed/incapacitated in November, 1984 riots and of persons killed/incapacitated in terrorist violence in Punjab and Chandigarh. A certificate from the District Magistrate to this effect must be submitted by the candidate. Migrant Card alone is not enough.”

The Vice Chancellor, in anticipation of approval of the Syndicate, approved the minutes of the meeting of the Committee held on 03.08.2015 regarding amendment in Rule 2(B)(vii). The existing and

proposed rules are reproduced as under:-

Existing Rule	Proposed Rule
2% for sons/daughters/husband/wife/brothers/sisters of persons killed/incapacitated in terrorist violence in Punjab and Chandigarh. A certificate from the District Magistrate to this effect must be submitted by the candidate. Migration Card alone is not enough. Note: In case there will be any amendment/change in the existing clause, the same shall be notified and communicated to all concerned departments by the Deputy Registrar (Colleges).	2% for sons/grandsons/daughters/granddaughters/husband/wife/brothers/sisters of persons killed/incapacitated in terrorist violence in Punjab and Chandigarh. A certificate from the District Magistrate to this effect must be submitted by the candidate. Migration Card alone is not enough. Note: In case there will be any amendment/change in the existing clause, the same shall be notified and communicated to all concerned departments by the Deputy Registrar (Colleges).

Insofar as the decision in **Sohail Singh Sodhi's case (supra)** is concerned, the writ petition was filed in regard to discriminatory practice adopted by the Administration to treat only the grand children of the riot victim and not of the female such as daughter. However, the admission of the petitioner has been declined as per the minutes of the meeting of the Coordination Committee of JAC-2015 held on 06.08.2015, in which the following decision was taken:-

“That admission process under JAC-2015 had been initiated w.e.f. 6th July, 2015 and the online registration of candidates had been allowed up to 13.07.2015. The candidate database is on the basis of JEE Mains AIR. The documents verification for above mentioned category has already been completed on 16th & 17th July, 2015 and 03 (three) rounds of counselling and allotment had

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already been done. Last online SPOT round result is to be declared on 13th August, 2015. In addition to this, as per directions of the Supreme Court of India, admission process was to be completed before 15th August, 2015.

Taking into consideration the above facts and further that the petitioner failed to furnish the mandatory certificate of Riot Victim from the District Magistrate Ropar, the committee decided that it would not be feasible to admit such candidates under the Riot Victim category guidelines for admission to the session 2015-16 in view of the revised guidelines issued by the Committee constituted by the Vice-Chancellor (minutes attached as Annexure A).”

Since the admission process has already been over, the proposal has not been approved by the Syndicate and the petitioner has not been given provisional admission, no relief can be granted at this stage because the last online spot round result was declared on 13.08.2015 in terms of the direction of the Supreme Court as per which the admission process was to be completed before 15.08.2015.

In view of the above, I do not find any merit in order to interfere in this petition.

Dismissed.

April 04, 2016
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(Rakesh Kumar Jain)
Judge