

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

**CWP No.20110 of 2016
Decided on :12.12.2016**

Arshiya through her Natural Guardian her Mother Ranju Sethi

... Petitioner

Versus

Punjab University, Chandigarh and others

... Respondents

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

Present : Mr. A.P. Kaushal, Advocate for the petitioner.

Mr. Arun K. Bakshi, Advocate for the respondents.

G.S. Sandhawalia, J. (Oral)

The petitioner seeks admission in Chemical Engineering Department on the ground that she was entitled for admission as per her merit in Sports Category Quota. It is her case that candidates lower in merit have been allotted seats. It is also her claim that being a single girl child, she was entitled for admission against the said category.

It is the pleaded case of the petitioner that she has passed her JEE (Mains)-2016 and got a rank of 532813. She had participated in the game of Volleyball at the Junior State Volleyball Championship and got 3rd position. The sports gradation certificate dated 08.07.2016 (Annexure P-6) shows that she was Grade-C Sportswoman. For the claim against the single girl child, the affidavit dated 09.06.2016 (Annexure P-7) was relied upon.

It is an admitted fact that the petitioner has been given admission in the Regional Centre of Panjab University at Hoshiarpur in Electronics and Communication stream, as a general category student.

The case of the respondents on the other hand is that the cut-off-date was 09.07.2016 and applications had to be submitted alongwith three sets of photocopies of all supporting documents/certificates. For the case of admission in the sports category, she had submitted hard copy of her registration/confirmation form on 11.07.2016. The trials were fixed for 12.07.2016 in the discipline of Volleyball and, therefore, she was ineligible for consideration in the said category.

Regarding her claim in Single Girl Child Category, the affidavit had to be attested by 1st Class Magistrate, whereas, the petitioner submitted a Notary attested affidavit, which was not valid. She was also required to be personally present at the counselling venue on 06.07.2016 for document verification (Annexure R-2/2) against the said category, but she did not take part in the counselling for document verification. Presence-sheet showing her absence on that day (Annexure R-2/4) has been attached. Accordingly, it was averred that the claim in both the categories was not justified and she was only considered under the General Category as per the Information Brochure-2016.

It is not disputed that the cut-off-date for sports category was 09.07.2016 till 5.00 P.M. However, the petitioner's mother only gave the said Gradation Certificate on 11.07.2016, which would be clear from Annexure R-2/5. It is, thus, apparent that she did not comply with the requisite conditions of the admission notice and no fault as such can be found in rejecting her case against the reserved category. It is settled principle that the cut-off-date is sacrosanct and, therefore, now the

petitioner cannot turn around and say that she is liable to be considered in the reserved category of sports persons having attached the sports gradation certificate after the cut-off-date.

Similarly, against her entitlement of Single Girl Child Category, the stand of the respondents is that the certificate was to be attested by 1st Class Magistrate, which has not been done and it was only notarized.

A perusal of Clause-5.2.2.10 of the Information Brochure-2016 goes on to show the requirements, which read as under:-

“5.2.2.10 Two additional seats per course are created for those girl Children for admission to a given course in the Panjab University, Teaching Departments, Regional Centres and its affiliated colleges provided they are otherwise eligible from all angles. The additional seats will be only for those girl Children who are either a single girl child of her parents or one amongst the only two girl children with no male child. The additional seat will be available to only one of the two girl children of a couple.

An Affidavit on a stamp paper worth Rs.20/- duly attested by 1st Class Magistrate, to be obtained from the parents of the girl children declaring therein that the benefit of this scheme is being claimed for only One Girl Child out of the two girl children and the parent shall not claim the same for the 2nd girl child elsewhere in future. The specimen of the affidavit is enclosed page 81.”

As per the abovesaid Clause the certificate was to be in a prescribed proforma, which was provided in the hand-book. The same reads as under:-

“SPECIMEN OF AFFIDAVIT FOR GIRL CHILD CATEGORY

(on non-judicial paper of Rs.20/- duly attested by 1st class

Magistrate)

I, _____ (name) father/mother of Miss _____ (full address to be given) resident of _____ do hereby, solemnly declare and affirm as under:

- 1 That I am a citizen of India.
- 2 That Miss _____ born on _____ is Girl Child of the deponent.
- 3 That the deponent has no male child.
- 4 That the deponent has the following children and none else:

Sr. No.	Name	Sex	Date of Birth
1			
2			

5. That neither the deponent nor the afore named girl child of the deponent have obtained/availed the benefit granted under this category; in this University/Institute including its affiliated colleges.

Place:

Dated: DEPONENT

VERIFICATION

Verified that the contents of the above affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

Place:

Dated: DEPONENT'

Thus, it is apparent that the petitioner herself is responsible for her admission not being considered in the reserved categories as she had not submitted her required certificates within the prescribed period and as per the required format.

In such circumstances, no fault can be found in the action of

the respondent-University in denying her admission against the reserved categories. Accordingly, the present writ petition is dismissed.

DECEMBER 12, 2016	(G.S. SANDHAWALIA)
<i>Naveen</i>	JUDGE
<i>Whether speaking/reasoned:</i>	<i>Yes</i>
<i>Whether Reportable:</i>	<i>No</i>