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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

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Judgment delivered on: 04.10.2016

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W.P.(C) 8905/2016

RAHUL KUMAR SINGH

..... Petitioner

versus

UNIVERSITY OF DELHI AND ORS.

..... Respondents

Advocates who appeared in this case:

For the Petitioner

: Mr. Nilendra Pratap Singh, Advocate

For the Respondent

Mr. Mohinder J S Rupal, Advocate

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. The petitioner seeks direction to the respondent-university to grant him admission in LLB course in the academic session 2016-17.
2. The petitioner had appeared in the entrance examination and secured 1163 rank in the General category. When the petitioner approached the respondent-university for counseling, he did not produce the original degree of the qualifying examination for which he had appeared in the year 2004 and he produced only the provisional certificate. It is contended that the provisional certificate

was liable to be accepted and the petitioner should have been granted admission. It is contended that the Degree had not been obtained by the petitioner at the time of counselling but the petitioner has not obtained the same from the concerned University.

3. Learned counsel for the respondent-university submits that in terms of the notification issued to the candidates prior to registration for entrance examination, it was clarified that the candidates eligible for counselling would report in person on the specified date and time with all relevant documents in original. It was clarified in the notification that the candidates failing to appear in person on the specified date and time would forfeit their claim for admission. It was even noted that all the candidates, including those whose result had not been declared, must attend the counselling as per the schedule.

4. It is contended that the notification specified the documents which were mandatory to be submitted. The said documents *inter alia* include Degree Certificate (Provisional Certificate if Degree has not been issued) of the qualifying Degree examination. It is contended that provisional certificate is applicable only in case the Degree has not been issued by the concerned university, however proof from the university that degree has not yet been issued by it is required to be submitted. It is contended that though the petitioner reported for counselling but he did not possess and submit the Degree of the qualifying examination held in 2004. It is contended that the petitioner

also did not furnish any proof that the Degree had not been issued by the University till date.

5. The relevant clauses of the Notification of the Delhi University read as under:-

“Counselling:

The counselling for admission to first year of LL.B Degree course 2016-17 will be held as per the schedule to be notified later on. The counselling will be held strictly as per the category rank on the specified date(s). The following procedure will be followed:

- 1. The candidates eligible for counselling will report in person at the office of the Admission Committee on the specified date and time with all relevant documents in original along with photocopies and fees. At the time of reporting for counselling, the candidate shall produce the Admission Ticket and also the original certificates/marks-sheet(s).*
- 2. The candidate failing to appear in person on the specified date and time for counselling shall forfeit his/her claim for admission. All candidates including those whose results of the qualifying Degree examinations have not been declared must attend counselling as per the schedule.*

“Documents required at the time of counselling

- 1. Admission Ticket of LL.B/LL.M. Entrance Test,*

2016;

2. *Age Certificate (High School/Matriculation);*
3. *Character Certificate (not older than six months on the date of admission);*
4. *Degree Certificate (Provisional Certificate if applicable) of qualifying Degree examination;*
5. *Provisional Certificate in case the Degree is not issued by the University (Proof from the University non-issue of Degree).*
6. *Mark-sheet (s) of the qualifying Degree examination;*
7. *Scheduled Caste/Tribe/OBC (non-creamy layer)/PH/CW certificate;*
8. *Six passport size photographs.”*

6. Reading of the clauses show that all candidates who have been invited for counselling and do not report for the same would forfeit their right. The candidates have to also produce the relevant documents. The Degree of the qualifying examination has also to be produced in Original. In case the Degree has not been issued by the concerned University, then a Provisional Certificate has to be produced with proof that the Degree has not been issued.

7. It is not the case of the Petitioner that till the date of the counselling the concerned University had not issued the Degrees for the relevant qualifying examination which was held in the year 2004. The case of the Petitioner is that the petitioner had not collected the same from the University. “Degree not collected” cannot be equated with “Degree not Issued”.

8. The petitioner was aware even prior to the registration for the entrance examination, that the Petitioner would be required to produce the Original Degree of the qualifying examination at the time of Counseling. The Petitioner did not bother to collect the same from the concerned University. Even though today the petitioner possesses the degree from the concerned university, the petitioner has failed to comply with the requirement of submission of original degree at the time of counselling. The petitioner also does not have any proof available that the degree had not been issued by the university till the date of counselling.

9. It was mandatory for the candidates to report with the documents in original at the specified date and time for counselling failing which they were liable to forfeit their claim for admission.

10. Since the petitioner failed to appear for counseling in terms of the notification with the original documents, the action of the respondent university in denying admission to the Petitioner and not entertaining the degree produced by the petitioner at a subsequent date cannot be faulted.

11. In view of the above, I find no merit in the petition, the same is accordingly dismissed.

SANJEEV SACHDEVA, J

OCTOBER 04, 2016

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