

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.15929 of 2017 (O&M)

Date of Decision: 08.08.2017

Bani Suri

... Petitioner

VS.

State of Punjab & Ors.

... Respondents

**CORAM: HON'BLE MR.JUSTICE SURYA KANT
HON'BLE MR.JUSTICE SUDHIR MITTAL**

Present: Mr. AS Manaise, Advocate for the petitioner

Ms. Anu Pal, AAG Punjab

Mr. KS Sandhu, Advocate for respondent No.2

Mr. Gurmohan Singh Bedi, Advocate for respondent No.4

SURYA KANT, J. (Oral)

(1) The petitioner seeks quashing of the provisional merit list (P6) published by Baba Farid University of Health Sciences for the admission of Children/Grand-Children of Sikh Riot-Affected/Displaced Persons in MBBS/BDS Courses.

(2) The petitioner also applied for admission to MBBS/BDS Course in the said reserved category of Children/Grand-Children of Sikh Riot-Affected/Displaced Persons for whom one per cent seats are reserved. It is an admitted fact that as per her merit in NEET-2017, the petitioner was placed at Sr.No.5. Since she could not make it to the four seats reserved by the University in MBBS Course, the petitioner has approached this Court with two-fold contentions.

(3) Firstly, the petitioner has alleged that respondents No.3&5 were absent on 13.07.2017 at the time of physical verification of the documents and checking of eligibility and hence they could not be placed above her in the

provisional merit list. Her second contention is that there are total 493 seats and applying the principle of rounding off, five seats ought to have been reserved for Children/Grand-Children of Sikh Riot-Affected/Displaced Persons instead of four seats, keeping in view the one per cent reservation for them.

(4) The respondent-University in its reply/affidavit has explained that respondents No.3&5 were indeed absent on 13.07.2017 and both of them have not been considered eligible for admission. The first grievance of the petitioner thus stands redressed and does not survive.

(5) As regard to the second plea, namely, for the rounding off the number of seats, the University has explained that out of 493 seats, 425 seats are for MBBS and 68 for BDS Courses. One per cent reservation admissible to the Children/Grand-Children of Sikh Riot-Affected/Displaced Persons is to be granted separately for MBBS and BDS Courses and on doing so, only four seats could be reserved in MBBS Course. Since in the BDS Course, only 68 seats are their, no seat can be reserved this year. The University has further appended the 'roster points' introduced by it to regulate different reservations and as per the same, only four MBBS seats fall in the reserved category to which the petitioner belongs.

(6) We have heard learned counsel for the petitioner at a considerable length and having regard to the categorical stand taken by the University that admission against the reserved seats, irrespective of the category, is made as per the roster points, we do not find any merit in this writ petition.

(7) There are 425 seats in the MBBS Course and even by applying one per cent reservation only four seats are to be given to the said reserved category.

(8) The petitioner's plea that previous year, there were five seats reserved for the category to which she belongs is inconsequential as it all

depends upon the total seats for which admissions were/are made and the available roster points.

(9) In this view of the matter, we do not find any merit in this writ petition and the same is accordingly dismissed.

(Surya Kant)
Judge

08.08.2017
vishal shonkar

(Sudhir Mittal)
Judge

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| 1. Whether speaking/reasoned? | Yes |
| 2. Whether reportable? | No |