

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA  
AT CHANDIGARH

CWP No.16276 of 2017

Date of Decision: July 26, 2017

Manisha

...Petitioner

Versus

State of Haryana and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH**

Present:- Mr. Ravi Nayak, Advocate, for the petitioner.

\*\*\*

**Amol Rattan Singh, J. (Oral)**

Learned counsel for the petitioner submits that the petitioner having topped the entrance examination for admission to a Ph.D course, respondents no.2 and 3 are not issuing a 'no objection certificate' for her to pursue the said course although instructions of the Financial Commissioner and Principal Secretary, Department of Technical Education-cum-Chairman of the Board of Governors of Government Polytechnic Education Society, Haryana, which are a part of Annexure P-5, to that effect, have been issued and various other persons have been allowed by the respondents to pursue higher studies as per Annexure P-7.

On a specific query, whether the student-teacher ratio in the concerned institute would allow for the petitioner to be absent from the institute to pursue higher studies, the program being a Ph.D course, it is stated that regular classes are not necessary to be attended.

In view of the aforesaid facts, this petition is disposed of with a direction to the competent authority amongst the respondents to take a

decision on the representations of the petitioners, Annexures P-3 and P-5,  
by passing a speaking order within a period of 15 days from the date of  
receipt of a certified copy of this order.

The authority concerned will specifically take cognizance of  
the fact as to whether regular classes are required to be attended by the  
petitioner or not and if not then reasons for any refusal would be given in  
detail in the speaking order to be passed.

A short time for disposal of the representation of the petitioner  
has been specifically given in view of the contention of the learned counsel  
for the petitioner that the petitioners' admission to the Ph.D course has  
already been cancelled once on account of non-obtaining of the 'no  
objection certificate' and in case it takes too long for the respondents to  
decide on the representation, her admission may again be cancelled.

July 26, 2017  
vcgarg

(Amol Rattan Singh)  
Judge

Whether speaking/reasoned: Yes  
Whether reportable: no