

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

CWP No. 25040 of 2014 (O&M)
Date of decision : September 15, 2017

Balram Singh

..... Petitioner

v.

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Sushil Sharma, Advocate
for Mr. Sanjeev Patyal, Advocate
for the petitioner.

Mr. HS Sitta, AAG Punjab

Mr. Narinder Lucky, Advocate
for respondent No.3.

Ajay Tewari, J (Oral)

By this writ petition, the petitioner has claimed refund of the amount of ₹ 41,500/- which was deposited as admission fee with respondent No.3-College.

Admitted facts are that the petitioner sought admission in the Master of Computer Application course for the academic session 2011-2012. At that time, he had some re-appear examinations in 6th semester of BCA which were pending. It is his allegation that despite the fact that he was not fully qualified, respondent No.3-College erred in giving him admission and charging money from him and that he is entitled to refund of that amount.

Stand of respondent No.3, on the other hand, is that the petitioner very well knew that he was not qualified; had obtained provisional admission; rather attended classes from July to September and it was only when he failed in re-appear exams, he turned around and started claiming refund of fee.

In my opinion, the petitioner is not entitled for refund of the fee. In the circumstances, this writ petition is dismissed.

Since the main case has been decided, the pending C.Ms, if any, also stand disposed of.

September 15, 2017
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(AJAY TEWARI)
JUDGE

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No