

CM-14181-2017;
CM-14325-2017 in/and
CWP-20235-2017 (O&M)

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HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CM-14181-2017;
CM-14325-2017 in/and
CWP-20235-2017 (O&M)
Date of Decision: October 04, 2017

Meghna Pawar

.....Petitioner

Versus

State of Punjab and others

.....Respondents

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

- | | | |
|----|---|---------|
| 1. | To be referred to the Reporters or not? | Yes/No |
| 2. | Whether the judgment should be reported in the Digest? | Yes/No. |
| 3. | Whether Reporters of local papers may be allowed to see the judgment? | Yes/No |

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Present: Mr.Harish Goyal, Advocate
for the petitioner.

Mr.Rajesh Bhardwaj, Sr.DAG, Punjab.
Mr.Suvir Sehgal, Sr.Standing counsel for UT, Chandigarh with
Ms.Aakanksha Sawahney and Mr.Akshay Sethi, Advocates
for respondent No.2.
Mr.Subhash Ahuja, Advocate for respondent No.3.
Mr.K.S.Dadwal, Advocate for respondent No.4.
Mr.B.S.Sewak, Advocate for respondent No.5.
Mr.Ramandeep Singh Pandher, Advocate for respondent No.6.

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SURYA KANT, J.

CM-14181-2017

Application is allowed subject to all just exceptions and written
statement filed on behalf of respondent No.3 is taken on record.

CM stands disposed of.

Main case

Reply filed on behalf of respondent No.6-Gursimran Kaur is taken on record.

The petitioner was a candidate for admission to BDS Course against the seat reserved for Scheduled Castes category of UT, Chandigarh. She did not get admission in the first counselling being lower in merit. The second counselling was scheduled to be held on 18.08.2017. On that very day there was another counselling scheduled for admissions to BDS courses in the State of Haryana. The petitioner, thinking a better prospects for herself, went to attend the counselling for seats in the State of Haryana and remained absent at the second counselling held on 18.08.2017 in UT, Chandigarh. Clause 11 of the Handbook of Information published by the respondents provides as follows:-

“11. The second counselling will be conducted for the vacant seats, if any: waiting list according to the rank/merit of candidates who appeared in this counselling will be prepared for filling up the seats which may fall vacant before the closing date for admission for the corresponding course as per directions from respective regulatory bodies and the Panjab University.”

[Emphasis applied]

[2] Regardless of the fact that the petitioner having absented from counselling had disqualified herself to be considered for admission against a vacant seat, this Court directed on September 07, 2017 to consider her provisionally for a seat reserved for Scheduled Castes category. In response,

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all the seats of Scheduled Castes category have already been filled up by the last date, i.e. 09.09.2017.

[3] In this view of the matter, especially when the petitioner herself opted not to attend the second counselling on 18.08.2017 of U.T. Chandigarh, we are satisfied that the desired relief cannot be granted to her.

[4] Dismissed.

**(SURYA KANT)
JUDGE**

October 04, 2017
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**(SUDHIR MITTAL)
JUDGE**

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