

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.24261 of 2016
Date of Decision: September 18, 2017

Maninder Kaur (minor) through guardianPetitioner
versus
Guru Angad Dev Veterinary and Animal Sciences University, Ludhiana and
anotherRespondents

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

Present: Ms.Richa Indal, Advocate, for the petitioner.
Mr.HNS Gill, Advocate, for respondent No.1.

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Surya Kant, J. (Oral)

The petitioner applied for admission to B.V.Sc. and A.H./B.F.Sc. Degree Course at Guru Angad Dev Veterinary and Animal Sciences University, Ludhiana. She was a candidate in the reserved category of Scheduled Caste. Entrance test was conducted on 16.06.2016 in which the petitioner got 42nd rank in the reserved category. It appears that some of the seats in the Scheduled Caste reserved category remained unfilled till the 4th counselling was held on 30.09.2016.

The case of the petitioner is that in the 4th and last counselling held on 30.09.2016, she was initially allowed to fill up the admission form but meanwhile, respondent No.2 who had 34th rank, turned up and claimed admission against such seat on the plea that he was higher in merit than the petitioner. The University eventually accepted the claim of respondent No.2 thereby depriving the petitioner from admission.

The University has filed written statement clarifying the factual issues. It is averred that respondent No.2 was also very much present at the time of 4th counselling on 30.09.2016 and as per his 34th rank (petitioner's

rank was 42), he was entitled to admission. He filled up the admission form but was not having his residence proof. He went and came back with the residence proof on that very day and thereafter admission was granted to him. The University has further explained that for 6 unfilled seats of Scheduled Caste category, 7 candidates including the petitioner were called for counselling. The petitioner being lowest in merit could not be accommodated, whereas 6 candidates including two candidates lower in merit than respondent No.2, were admitted.

We have heard learned counsel for the parties and gone through the record.

As the facts would speak for themselves, the petitioner being lower in merit could not be granted admission. Respondent No.2 was apparently present at the time of counselling and some delay on his part in producing the residence proof cannot be a valid ground to deny him admission. He was entitled to be admitted as per his merit position in the entrance test.

The writ petition stands dismissed.

[SURYA KANT]
JUDGE

September 18, 2017
mohinder

[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No