

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.4214 of 2017
Date of Decision:-27.03.2017

Parikshit Singh

..... Petitioner

Vs.

Panjab University and another

..... Respondents

CORAM: HON'BLE MR.JUSTICE RAKESH KUMAR JAIN

Present: - Mr.Ranvir S. Chauhan, Advocate,
for the petitioner.

Mr.Vijay Pal, Advocate,
for the respondents.

RAKESH KUMAR JAIN, J.

The petitioner appeared in the Common Entrance Test (UG) with roll no.801233 in the Scheduled Caste category and filled his first choice as B.A. LL.B (Hons.). He was placed at Sr. No.42 for B.A. LL.B. (Hons.) and Sr. No.58 for B.Com. L.L.B. (Hons.) in the merit list of Scheduled Caste category. The petitioner took admission at Regional Centre, Ludhiana in B.A. LL.B. (Hons.), according to his merit, where he studied for about two months. Thereafter, in the 3rd counselling, he got admission in B.Com. LL.B. (Hons.) in UILS, Chandigarh allegedly with the hope that he would be shifted to B.A. LL.B. (Hons.) as and when the vacancy would occur. The petitioner made a representation for shifting him to B.A. LL.B. (Hons.) and has thereafter filed this petition with a prayer that appropriate direction may be issued to the respondents to shift him from B.Com. LL.B.

(Hons.) to B.A. LL.B. (Hons.) against the vacant seat available at UILS, Chandigarh.

Learned counsel for the petitioner is fair enough to submit that there is no such provision for changing the course from B.A. LL.B. (Hons.) to B.Com. LL.B. (Hons.) or vice-versa after the admission has been given but he has insisted that since the seat is allegedly vacant, therefore, it can be done.

On the other hand, learned counsel for the respondents has submitted that the petitioner got 58th rank in the Scheduled Caste category of the merit list prepared for B.Com. LL.B. (Hons.) for the session 2016-17 and during the 3rd counselling he was admitted to the 1st semester of B.Com. LL.B (Hons.) at UILS, Chandigarh, without any assurance from any quarter to shift him to B.A. LLB. (Hons.) in case any seat in the said course is found vacant. It is further stated that as per the practice, if, after the first round of counselling, any seat is vacated, the same is filled up by way of open counselling through public notice and in that process of counselling, the rank of the candidate from merit No.1 onwards is called. It is open for any candidate, who has already been offered admission to change the course by taking part in the open counselling according to merit and if the last counselling has already taken place then in case of vacancy of any seat, the same is filled up by holding an open counselling with the permission of higher authorities but the process of admission is not carried out in the 2nd semester onwards. It is also submitted that the vacant seats are not filled up by the students, who have already admitted to the B.A. LL.B. (Hons.) or B.Com. LL.B. (Hons.) and are seeking an interchange from one course to another i.e. from B.A. LL.B. (Hons.) to B.Com. LL.B. (Hons.) or vice-versa. It is also submitted that the seats, which remain vacant, are filled up in

the next semester/academic session from amongst the students of the previous batches or from amongst the students who are seeking admission by way of migration as per the relevant rules of Migration contained in Panjab University Handbook of Information. It is also submitted that the decision of this Court rendered in *LPA No.535 of 2014* titled as “*Adityajit Singh Chadha Vs. Panjab University*” decided on 16.7.2014 is not applicable because the students therein were from other institutions whereas the present petitioner has already admitted to B.Com. LL.B. (Hons.) in the same institute i.e. UIIS, Chandigarh and in case this petition is allowed then a new practice would start.

I have heard both the learned counsel for the parties and after examining the record, am of the considered opinion that there is no merit in the present petition because the petitioner has failed to cite any provision of rules/regulations of the University, permitting him to change his course from B.Com. LL.B. (Hons.) to B.A. LL.B. (Hons.) in the same institution i.e. UIIS, Chandigarh.

Consequently, there is no reason with this Court to interfere in this petition and as such the same is hereby dismissed.

27.03.2017

Vivek

**(RAKESH KUMAR JAIN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No