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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 8090/2017, C.M. No.33330/2017, C.M. No.38640/2017 &
C.M. No.38644/2017

RAVI YADAV

..... Petitioner

Through Petitioner in person.

versus

UNIVERSITY OF DELHI & ANR

..... Respondents

Through Ms.Slomita Rai for Mr.Mohinder
J.S.Rupal, Advocate for DU.
Ms.Eshita Baruah for Mr.Gaurang
Kath, Adv.

CORAM:

HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

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20.11.2017

On 02.7.2017 petitioner had appeared in the entrance examination of the LL.M., Faculty of Law. His result was declared. He ranked 34 in the OBC category and 138 in the General Category.

Meanwhile the petitioner's result in the 6th Semester of LL.B. examination was declared in which he scored 349 marks. His result of improvement of the 4th Semester in three subjects had also been declared. He had wrongly been given zero marks in the subject of Administrative Law (LB-402).

On 11.8.2017 the admission list of LL.M. was published;

selected students were given time up to 17.8.2017 to deposit the fee. Meanwhile on 20.8.2017 the petitioner had given a representation to the Competent Authority for the correction of his result in the administrative law which wrongly had shown his marks to be zero. On 26.8.2017 the second list of selected candidates for LL.M. was notified in which the name of the petitioner was figured. On 28.8.2017 the petitioner went to the Faculty of Law for taking admission to the said course and deposited all his documents; he was given 10 days time to give the remaining documents. On 29.8.2017 the petitioner appeared in supplementary examination of the Administrative Law wherein he had been given zero marks. On 30.8.2017, the petitioner represented to the College Authority that they had wrongly closed the portal as the petitioner till that time had not deposited his fee; the fee payment portal was open for some students but not for the applicant. Petitioner had not been able to deposit his fee online. Due to non payment of his fee by him on line his admission to the LL.M. course was cancelled. Hence the present petition.

Counter affidavit has been filed by respondent no.1. It is submitted that the petitioner has participated in the counselling held on 28.8.2017. He was granted provisional admission subject to deposit of online fee and he had to submit all his documents within 10 days including his LL.B. result. The petitioner had not cleared his LL.B. course. He had taken supplementary examination. The last date for payment of online fee was notified in the notification. The petitioner had neither deposited his complete documents nor deposited

the fee online. He had to pay the fee online which he had failed to do so. This is justified by para 4 of Clause (g) of Annexure P-7. The fee not having been paid within the prescribed timeline the petitioner deserves no sympathy.

Rejoinder has been filed denying these submissions.

On the perusal of the record, this Court notes that admittedly a timeline has been prescribed for payment of fee online. The petitioner had to pay the fee subject to second round of counselling. The petitioner did not pay his online fee. A representation has been submitted by the petitioner that he could not pay the fee online on 29.8.2017 because he had gone to take the supplementary examination of Administrative Law. This Court has been informed that the fee had to be paid online and nothing prevented the petitioner from paying the admission fee online in the 4 day window which had been granted and even presuming that he had on one day out of the four days gone for taking his supplementary examination it did not debar him from making his payment of the admission fee online. It is not even a case where the petitioner has to make himself physically present for payment at the counter. The Rules (Annexure P-7) of the respondent clearly provide that as per the admission process a candidate has to pay his fee within the prescribed timeline which time period has admittedly expired before the petitioner could make the payment of fee. The vehement submission of the petitioner is that this was for the reason that the petitioner had gone to take his supplementary examine on that date calls for no sympathy in his favour as even as per the case of the petitioner there was a four day

window period for the petitioner to deposit the admission fee online. At the cost of repetition that he had gone for taking his supplementary examination of Administrative Law on 29.8.2017 nothing prevented him from making his payment of admission fee online on the other days which were available to him. The petitioner not having abided by the effective essentials of the admission process, the order of the respondent cancelling his admission is an order which suffers from no infirmity. Petition is without any merit. Dismissed.

INDERMEET KAUR, J

NOVEMBER 20, 2017

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