

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 3095 of 2018**

1. Khusboo Patel D/o Shri Radheshyam Patel Aged About 19 Years R/o Laxmi Chowk, Gandharv Mohalla, Ward No. 48, Chingraj Para, Bilaspur, District Bilaspur Chhattisgarh.
2. Shashikant Deshlahre S/o Shri Ramdin Deshlahre Aged About 19 Years R/o 111-A, Risali, Sector, PO Civic Center, Bhilai, District Durg Chhattisgarh.
3. Nitish Kumar S/o Shri Rajendra Kumar Aged About 19 Years R/o Ward No. 39, 20 No. Dumahill, Sonawani, Chirimiri, District Koriya Chhattisgarh.

---- Petitioner**Versus**

1. Indira Gandhi Agriculture University Through The Registrar, Krishank Nagar, Raipur, District Raipur Chhattisgarh.
2. Bharti College Of Agricultural Engineering Through The Principal, Near Pulgaon Chowk, Durg, District Durg Chhattisgarh.
3. B.R.S.M. College Of Agricultural Engineering And Technology, Through The Principal Pandariya Raod, Chatakhar, District Mungeli Chhattisgarh.
4. Swami Vivekanand College Of Agricultural Engineering And Technology, Through The Principal Indira Gandhi Agricultural University Campus, Raipur Chhattisgarh.

---- Respondent

For Petitioners : Shri Jitendra Pali, Advocate.
 For Respondent/University : Shri Shashank Thakur, Advocate.

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****05/12/2018 :**

1. The petitioners have been admitted to the B. Tech. (Agriculture) course in the respondent No.2 college on the strength of their merit position in the Pre-Engineering Test Examination conducted by the Professional Examination Board (VYAPAM) in the year 2018. The petitioners have attended the

classes and were preparing for appearing in the semester examination scheduled to commence from 7th December, 2018.

2. In the present writ petition, they are aggrieved for the reason that their names are not shown in the list of admitted students in the respondent No.2 college and they are not likely to be allowed to participate in the examination.
3. It is the stand of the respondent/University that the petitioners having opted for floating option at the time of counseling for allotment of college and a better ranked college than the respondent No.2 college being available, the petitioners have been allotted respondent No.3 or respondent No.4 college, as the case may be, for pursuing their B.Tech (Agriculture) Course and thus they ceased to be in the roll of respondent No.2 college.
4. Admittedly, the petitioners have secured admission in respondent No.2 college on the strength of their merit in the entrance examination. The petitioners have been informed about the change of college through SMS, however, they were not issued any communication in writing by the University or by respondent NO.2 college refusing them to attend the classes in the said college. It is for this reason, the petitioners continued to attend the classes in the respondent No.2 college and have never studied in the new college where they were allotted seats under the floating option. It is important to mention that the respondent No.2 college is a private college.
5. Without going into the question as to whether respondent No.2 college is well equipped or the Government colleges have better facilities, if the petitioners desire to continue with the college where they were initially admitted and have also studied therein for the last about 6 months, ends of justice would be served if the petitioners are allowed to appear in the B.

Tech. (Agriculture) Course in the respondent No.2 college, all the more when the said college has no objection to the petitioners' continuation in the college.

6. Accordingly, the Writ Petition is disposed of permitting the petitioners to prosecute their B. Tech. (Agriculture) course with the respondent No.2 college. The petitioners shall be allowed to appear in the semester examination commencing from **7th December, 2018.**

Sd/-
Judge
(Prashant Kumar Mishra)

Barve