

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

W.P.NO.31046 OF 2018

O R D E R

The 2nd respondent – Osmania University, represented by its Director of Admissions, Hyderabad, issued notification OUCET – 2018, for admission into Master of Physical Education (M.P.Ed.) course for the academic year, 2018-19. As per the notification, for admission to M.P.Ed., course, 100 marks are stipulated and out of the said 100 marks, entrance examination will be conducted for 75 marks and the remaining 25 marks will be awarded by the Department of Physical Education, Osmania University, for the achievements of the candidates in the sports.

The case of the petitioner is that he completed B.Sc., from Osmania University in the year 2014 and Bachelor of Physical Education from Kakatiya University in the year 2015. His further case is that he is a sportsman, played 29th Senior National Korfball Championship, organized by Maharashtra Korfball Association, during the period from 28th to 31st of March, 2018 at Nagpur and his team secured position in the event category and he was issued with certificate of participation by Korfball Federation of India. Thus he is eligible to be considered for admission to M.P.Ed. course, under sports category.

In pursuance of above said notification issued by 2nd respondent for admission to M.P.Ed., course, he applied and appeared in the entrance

examination and the 2nd respondent issued rank card, wherein he was shown to have scored 55 marks and secured 31st rank.

The grievance of the petitioner is that as the 2nd respondent is not considering his Korfball certificate issued by Korfball Federation of India, he approached the 1st respondent – Osmania University, represented by its Registrar. As no action has been taken, the present writ petition is filed.

Learned counsel appearing for the petitioner, while reiterating the above averments, further submit that the first phase of counselling was completed on 17.07.2018 and the second phase of counselling is likely to commence and that if the sports certificate of the petitioner is not considered by the 2nd respondent, petitioner may lose the opportunity of pursuing the course.

Registrar of the 1st respondent – Osmania University, filed counter affidavit. Sri Ch.Jaganatha Rao, learned Standing Counsel for the University, based on the averments made in the counter affidavit submits that in the OUCET -2018 information brochure at page No.21 under the conditions of admissions under Sports / NCC / NSS quota, it is clearly stated that *“for admission into M.P.Ed., the candidate should have obtained the relevant certificate of sports / NCC / NSS during the study of either in the degree or in the qualifying examination of B.P.Ed., respectively, provided that the certificate is not used for admission of any*

course of any University.” As the petitioner do not fulfil the said criteria, his sports certificate was not considered by the committee consisting of Professors of Department of Physical Education, Osmania University during the admission into M.P.Ed. course under the sports category. With these averments, learned Standing Counsel sought to dismiss the writ petition.

Petitioner filed reply affidavit stating that the petitioner filed all the relevant documents at the time of submission of application form and he appeared for the entrance test and secured 31st rank and the 2nd respondent displayed the list of candidates, where, for the sports achievements, 18 marks were awarded and that when marks were awarded, 2nd respondent is not justified in refusing to consider the sports certificate produced by the petitioner.

From the averments made in the counter affidavit, which are not disputed, it could be seen that as per the information brochure of OUCET – 2018, for consideration of a candidate under the sports quota, one should obtain the sports certificate during the study of either in the degree or in the qualifying examination i.e., B.P.Ed. In the present case, petitioner has completed his degree i.e., B.Sc., during the year 2014 and the qualifying examination i.e., B.P.Ed., during the year of 2015 and he claims to have participate in the Korfball event during March, 2018 i.e., subsequent to the completion of courses. However, he secured 31st rank in the written examination and as per the reply affidavit filed by him,

which is not denied, he was awarded 18 marks for the sports achievements. In view of these facts and circumstances, 2nd respondent is directed to consider the case of the petitioner for grant of admission in M.P.Ed., courts under the sports category as per his rank, if there are any unfilled seats.

With the above direction, writ petition is disposed of.

Interlocutory applications pending, if any, shall stand closed. No costs.

DATE:01—10—2018

AVS

Note:

C.C. in two days.

B/O



A.RAJASHEKER REDDY,J