

**IN THE HIGH COURT OF PUNJAB AND HARAYANA AT CHANDIGARH
112**

COCP-1944-2018

Date of decision:24.08.2018

SONIA RANA

...PETITIONER

V/S

SATISH CHANDRA AND ORS

..RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. S.P.Soi, Advocate,
for the petitioner.

Mr. Karan Singh Sandhu, Advocate,
for respondent No. 3.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioner has approached this Court alleging violation of the order dated 30.05.2018 passed by this Court in CWP No. 9642 of 2018, whereby directions were issued to the respondents to consider the claim of the petitioner for admission to the Post-Graduate Course against the Scheduled Caste Category seats in Government Institutes.

In pursuance to the said order and upon notice having been issued, reply has been filed by respondent No. 3-University, para Nos. 6 and 7 thereof reads as follows:-

“6. That the respondent University has fully complied with this Hon'ble Courts order dated 30.05.2018. The order was telephonically conveyed by the University Counsel to the admission committee during the counselling held on 30.05.2018. Though the copy of the Hon'ble Court's order was not received by the Committee even then, the petitioner was called on her phone at 11:50 am by the admission committee to

attend the counselling. The petitioner informed the Committee that she was in Delhi and that she cannot attend the counselling. She was again conveyed telephonically through mobile No. 9780008656 at 02:20 pm when the counselling for SC Category as per her merit was in progress about the vacant seats through Whatsapp but she did not respond inspite of repeated calls/whatsapp messages. She was also given time to reply up to 03:00 pm but she did not respond. The petitioner consciously choose not to respond to the University phone calls or whatsapp messages and was not willing to opt for any seat shown to her through Whatsapp messages. Hence, no seat was allotted to her under SC Category. A copy of the Whatsapp messages sent to the petitioner depicting number of seats offered to her at her merit is attached as Annexure R-3/5. A copy of the proceedings of counselling dated 30.5.2018 are attached as Annexure R-3/6.

7. That the University vide Notice dated 30.5.2018 (Annexure R-3/7) published on its website informed candidates that walk in counselling for admission to vacant PG courses seats will be held on 31.5.2018 in the office of the University Registrar. The petitioner chose not to attend the walk in counselling for the reasons best known to her. It was the responsibility of the petitioner to attend/participate in the walk in counselling to choose a vacant seat in the PG Courses.

It is pertinent to mention here that the University had complied with this Hon'ble Court's order dated 30.5.2018 on

the same day immediately after receiving verbal instructions from the University Counsel. A copy of this Hon'ble Court's order was received by the University at 6.30 PM.

On 30.5.18, maximum number of seats were available in the petitioner's respective category i.e. SC category. This clearly shows that the University complied with this Hon'ble Court's order in letter and spirit and there was no intention to deny the petitioner a seat. The University had called her on 30.05.18 and after that she was supposed to contact the University any time before the last date of counselling i.e. 31.05.18. Nowhere in the communication made to her telephonically or on whatsapp has she shown that she was refused to attend the walk in counselling on 31.05.18.”

On perusal of the same, it is apparent that the petitioner has chosen not to join the counselling or even respond to the choices, which were put forth to her through the whatsapp messages and telephonic calls, which telephonic calls and whatsapp messages having been received by the petitioner are not disputed.

In view of the above, it cannot be held that the respondents, in any manner, have violated the order passed by this Court.

The present contempt petition, therefore, stands dismissed.

Rule issued to the respondents stands discharged.

August 24, 2018

pj

**(AUGUSTINE GEORGE MASIH)
JUDGE**

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No