

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-11024-2002 (O&M)

Date of decision: - 18.07.2018

Surinder Singh

.....Petitioner

Versus

Punjab University and others

.....Respondents

**CORAM : HON'BLE MR. JUSTICE MAHESH GROVER
HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU**

Present: Mr. Satnam Chauhan, Advocate
for Mr. T.S. Chauhan, Advocate,
for the petitioner.

None for the respondents.

MAHESH GROVER, J. (ORAL)

While admitting the petition on 13.09.2002, the following
order was passed by this Court: -

“Heard.

Admitted.

Mr. Chauhan prays that the petitioner may be provisionally
admitted to the First Semester of the LL.B. Course as persons who
are lower than him in order to merit have already been admitted.

Mr. Chopra contests this claim. He states that there is no
vacancy. Therefore, the petitioner cannot be admitted. He further
submits that the petitioner had not appeared in time for interview.
As such, his merit vis-a-vis respondent Nos.3 to 5 could not be

determined.

On a perusal of the pleadings, we find that the petitioner had appeared in the entrance test. He had scored more marks than respondent Nos.3 to 5. There was only a delay of few minutes in his appearing for the interview. He had admittedly submitted the application at the same time. After the petitioner had submitted his application, the department had advertised vacancies for the LL.B. course in the newspaper. Despite the availability of the vacancies and the petitioner's representation, he was not considered for admission.

In this situation, we direct that the petitioner shall be provisionally admitted to the First Semester of the LL.B. course.

The hearing of the writ petition may be expedited.”

The dispute revolves around the admission of the petitioner to an academic course in question where the benefit was denied to him despite availability of the vacancies and under the interim order of this Court, he has since concluded his course.

Noticing the fact that it was merely the reluctance of the respondent-University to utilize the vacancy, which has since been done under the orders of this Court.

We are of the opinion that it is a case where no further orders are required to be passed and the present controversy deserves a quietus particularly when the petitioner had secured more marks than other incumbents, who had been admitted and admission was denied to the petitioner only on account of the fact that his appearance before the Interview Board was delayed by few minutes.

Taking into consideration the facts, in totality, the present petition is disposed of as infructuous. Consequently, the University is

directed to release the degree of the petitioner in the event of his having concluded the course successfully and in case it has already been done, no further action will be required.

(MAHESH GROVER)
JUDGE

(MAHABIR SINGH SINDHU)
JUDGE

July 18, 2018
naresh.k

Whether reportable?	No
Whether reasoned/speaking?	Yes