

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP No.19566 of 2018 (O&M)

Date of Decision : 31.8.2018

Aishwarya Jagga

....Petitioner

Versus

Panjab University and others

...Respondents

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

....

Present : Mr.Aalok Jagga, Advocate
for the petitioner.

Ms.Balpreet Kaur Sidhu, Advocate
for Panjab University.

.....

MAHESH GROVER, J. (Oral)

The petitioner states that she has done B.A.(Law), LLB and stakes her claim to LLM Course being offered by the Panjab University.

Briefly put, her grievance is that the respondent-University is not considering her eligible, although she would certainly qualify if the University does not misconstrue clause 7 (c) (i) of the Rules of Admission for the Courses offered by University Teaching Departments/Centres/Institutes, extracted herebelow :-

“Candidates who have passed B.A./B.Sc./B.Com.with Hons.Either from Panjab University or from any other University would be given 15% weightage of the basic merit marks X obtained for the purpose of admission in Post-graduate course in the subject in which Honours examination was passed.

Similar weightage would be given to candidates who have passed B.A./B.Sc./B.Com.examination according to Hons.Like system specializing in one subject in which the admission is sought for the P.G.Course.”

Concededly, the petitioner has not done her B.A.with Hons but lays emphasis on the condition where it is stated “Similar weightage would be given to candidates who have passed B.A./B.Sc./B.Com.examination according to Hons.Like system specializing in one subject in which the admission is sought for the P.G.Course.” To buttress this contention the petitioner has asserted in para 17 of her petition that the university had been giving weightage to similarly placed aspirants on earlier occasions as well. In this regard we have asked the University to submit an affidavit, which has been filed in Court today denying the assertion of the petitioner and clarifying that even though initially it was considered favourably to some of the aspirants but finally at the time of admission the marks were reduced appropriately by denying such a benefit.

Learned counsel for the petitioner would contend that the afore-extracted clause where similar weightage is prescribed for B.A./B.Sc./B.Com. Courses with Hons.Like System would be attracted to her case considering that she has done B.A.(Law) where most of the subjects of laws are taught. A reference has been made to para 14 of the petition where the subjects studied by the petitioner while doing her graduation have been mentioned.

The moot question before us is that whether the persons who have studied a particular subject is unable to get weightage in terms

of the afore-extracted clause. A closer look of the provisions indicates that weightage has to be given only if the course undertaken has a Hons.Like System which is somewhat ambiguous at least for the courts to interpret. The University would be best equipped to understand the equivalence of the course being akin to Hons.Like System. Therefore, we leave it to the University to consider the claim of the petitioner on merits and decide whether the course undertaken by her is akin to a Hons.Like System so as to enable her to the advantage stipulated in the aforesaid clause.

The admission process is concluding today and the petitioner states that there are 9 seats vacant. We would not comment on the availability of the seats and the likelihood of their going waste but direct the University to consider the claim of the petitioner regarding her assertion of the seats being available, on merit today itself, if she otherwise makes the grade.

Petition stands disposed of.

(MAHESH GROVER)
JUDGE

31.08.2018
dss

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No