

CWP no. 19997 of 2018 (O&M) 1

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

**CWP no. 19997 of 2018 (O&M)
Date of Decision : 24.09.2018**

Nisha Ranjan

....Petitioner(s)

Versus

Union of India and another

...Respondent(s)

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

Present : None for the petitioner(s)

None for respondent No.1

Ms. Balpreet K Sidhu, Advocate for respondent No.2

MAHESH GROVER, J.(ORAL)

This writ petition has been filed by the petitioner praying for admission to B.Com LL.B (Honours) 5 years integrated course for the session 2018. The grievance of the petitioner is that additional weightage was to be awarded as per the merit calculation method attached to petition as Annexure P-5, relevant of which is extracted herebelow:-

“CBSE – Best 5 Subjects

For B.Com LL.B- Subject weightage 4 for each paper given, for all the papers cleared from the list of papers mentioned below restricting the maximum weightage score to 16. The score is to be added, even if,

the paper is an additional paper passed by the candidate.”

The petitioner concededly has cleared mathematics as an additional paper and would thus be entitled to the weightage.

The respondents do not deny this but contend that the petitioner participated in the first round of counselling on 19.7.2018 but did not raise any issue with regard to the present grievance. Subsequently, other rounds of counselling were also held and it is after the conclusion of the process that such a plea has been raised. It is stated by the learned counsel representing the University that there is no doubt that the petitioner would be in merit if the weightage is given but since this issue has been raised belatedly, the University would not be in a position to grant admission to the petitioner, particularly, when all the seats have been filled up and in the present petition, the petitioner has not impleaded the selected candidates as party respondents which would be necessary considering that if the claim of the petitioner is accepted it would result in a re-shuffle affecting few of the students.

The reply was filed on 5.9.2018. No counter affidavit has been filed by the petitioner.

In view of the categorical stand of the University that all the seats have been filled up, we are of the opinion that at this stage this Court would not accept the plea which has been raised somewhat belatedly and particularly, when the affected candidates have not been impleaded as party respondents. Hence, instant petition is hereby dismissed. While declining interference we would, however, leave it to the University to consider the case of the petitioner in case there is availability of some seat, particularly

noticing the fact of the petitioner's merit concededly would be higher than few of the students who have been admitted, if the additional weightage is given.

(Mahesh Grover)
Judge

24.09.2018
rekha

(Mahabir Singh Sindhu)
Judge

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