

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

C.W.P.No.20073 of 2018

Date of Decision: 14.08.2018

Savjot Singh Bains

... Petitioner

VERSUS

The Joint Seat Allocation Authority (JOSSA) and others

... Respondents

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

Present: Mr. Rahul Sharma, Advocate,
for the petitioner.

Mr. Anil Chawla, Advocate,
for respondents No.1,2 and 4.

Mr. Ashwani Talwar, Advocate for respondent No.3.

MAHESH GROVER, J.

The petitioner has filed the instant writ petition praying for issuance of writ in the nature of mandamus directing the respondents to conduct the Spot Round counseling as per seats lying vacant due to some of the candidates not reporting for the seats. It is not in dispute that last round of counseling was held on 10.08.2018 and the Central Seat Allocation Board is the one prescribing the schedule for it. This agency had extended the reporting time on the request which needed some more time to update the particulars of

the filled up seats. The last communication dated 13.08.2018 reads as follow:

“On request from some Institutes, the PI Reporting module will be opened tomorrow from 10AM to 2 PM for 'updating PI reporting details of candidates', in case it has been missed out.”

The respondents who were put on short notice considering the urgency involved have not filed the reply but have apprised the Court upon instructions that the reporting time lapses today at 2 PM. It is also stated by learned counsel representing respondent No.3 that three seats are likely to remain vacant as per the latest available information but they have expressed their difficulty in conducting Spot Round Counseling as prayed for by the petitioner as there are no directions from the Central Seat Allocation Board. The last date prescribed for admission is 15.08.2018. Hon'ble Supreme Court in **Parshavanath Charitable Trust and others Vs. All India Council for Technical Education and others**, Civil Appeal No.9048 of 2012 decided on 13.12.2012 has observed that engineer courses such as IITs etc. offer valuable seats which could not ordinarily be wasted considering that the country gains from trained human resource. While giving directions for schedule of the admission the Hon'ble Supreme Court has also observed that vacant seats should be duly notified and advertised or seats should be filled positively by 15th August after which there shall be no admission, whatsoever be the reason or ground. The respondents expressed their difficulty as they would not have sufficient time to advertise considering that 15.08.2018 is a holiday. We are of

the opinion that although there is a constraint, considering that 15.08.2018 would be a holiday but looking at the fact that some of the students would benefit in career, we direct that after process is over at 2 PM today, the respondents shall display the vacant seats on the web site today itself and in case they receive response from the desirous candidates, who otherwise are in merit, they be offered the vacant seats so that they are not wasted. We are conscious of the fact that even at the cost of some inconvenience, the competent authorities shall facilitate such an admission by 15.08.2018 which is the last date prescribed.

Disposed of.

Copy of the order be given dasti to the parties under signatures of the Special Secretary of this Bench.

(MAHESH GROVER)
JUDGE

August 14, 2018
jt

(MAHABIR SINGH SINDHU)
JUDGE