IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP no. 22509 of 2018 (O&M)
Date of Decision : 01.11.2018

Akshita

....Petitioner(s)

Versus

Panjab University, Chandigarh and others

...Respondent(s)

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER
HON'BLE MR JUSTICE ARUN MONGA

Present : Mr. Aman Pal, Advocate for the petitioner(s)

Mr. B.L.Gupta, Advocate for University

Mr. Angadpreet Singh, Advocate for
Mr. Mahir Sood, Advocate for respondent No.2

Mr. Vikas Cuccria, Advocate for respondent No.35

MAHESH GROVER, J.(ORAL)

This writ petition has been filed with a prayer that the petitioner be considered against the additional seats provided under the Single Girl Child Category.

Respondent Nos. 2 and 3 at an earlier point of time filed CWP No.19305 of 2018 questioning rider appended to rule 3(b)(1) and while accepting the writ petition this Court had passed the following order:-

> "Finding the clause sans any justification and discriminatory, we would have no hesitation to read it down to mean that the preference shall be available to

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single girl child as also one amongst from the two girl children in a family across the Board in all courses regardless of whether they are regulated by MCI, BCI, DCI and NCTE particularly when the preferential clause is a benevolent and in consonance with the principle of directive principles as also the avowed policy of the State.

The petitioner's claim be considered and if otherwise eligible, she be granted admission her being in merit.

Disposed of."

Pursuant thereto the University considered the claim of the private respondents and granted them admission on 20.8.2018. It is subsequent thereto that some persons pressed for their claim against the additional seats intended for Single Girl Child category. Realising that there were more claimants, the University set up an advertisement on the website on 23.8.2018 intending to fill up two seats from B.A LLB (Hons) and 2 from B.Com LLB (Hons).

The petitioner represented on 28.8.2018 and 29.8.2018 that she did not find a place in the institute and filed the present petition which came up before us on 5.9.2018. It is contended that admissions to respondent Nos. 2 and 3 though pursuant to the orders of this Court were made without following the procedure and in fact the University ought to have advertised or set out a public notice, if it intended to fill up those seats against the Single Girl Child Category.

We are in agreement with this. It is the fault of the University

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that it did not put out the notice in time. An explanation has been offered that since there were no other claimants except the present respondents No. 2 and 3 who had approached this Court, the admission was granted to them. This explanation can be termed plausible as the said respondents were indeed vigilant enough to come to this Court and being the sole claimants were granted admission. The petitioner has also got admission but in Regional Centre Ludhiana. The course has commenced and in fact the mid term examinations are going on and the semester is likely to conclude in December itself.

In this view of the matter, we are afraid we cannot come to the rescue of the petitioner, particularly, when no seats are available. However, in case the petitioner presses her claim for migration and in the event of a seat being available her claim be considered.

Disposed of.

(Mahesh Grover)
Judge

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(Arun Monga)
Judge

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

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