

CWP NO.22641 OF 2018(O&M)

1

Sr.No.208

IN THE HIGH COURT OF PUNJAB AND HARYANA CHANDIGARH

CWP NO.22641 OF 2018(O&M)

Date of Decision: 16.10.2018

Deepak

.....Petitioner

versus

Lala Lajpat Rai University of Veterinary
and Animal Sciences Hisar and others

.....Respondents

**CORAM HON'BLE MR. JUSTICE MAHESH GROVER
HON'BLE MR. JUSTICE AMIT RAWAL**

Present Mr.Sardavinder Goyal, Advocate for the petitioner.
Mr.D.S.Rawat, Advocate for respondent no.1.

MAHESH GROVER, J(ORAL)

CM-15325-2018

CM is allowed, as prayed for.

Written statement of respondent no.1 is taken on record, subject
to all just exceptions.

CWP-22641-2018

The petitioner has approached this Court with grievance that his
admission to the BVSc & AH Degree Programme 2018-19 under SC
category has been wrongfully cancelled by the University.

It is the specific assertion that he has deposited the fee and got
his documents verified, yet the seat has not been allocated to him, further
respondents have offered no justifiable reasons for cancelling the admission.

We had issued notice, upon which a short reply has been filed
and the learned counsel representing the University points to clause 3.9 of
the Rules and Regulations Governing BVSc & AH Admission, of the

prospectus to contend that the petitioner did not get himself registered on the due date and time even though he had complied with the verification process, medical examination and depositing of fee as well. For the purposes of references clause 3.9 of the Rules and Regulations Governing BVSc & AH Admission of the Prospectus is extracted here below:

“3.9 The completion of admission process involves the following:

- i.. Verification and submission of all the original documents along with self attested photocopies as given under the rule 3.12 at the time of counselling.*
- ii.. Deposition of fees and other charges at the time of counselling;*
- iii.. Medical examination on the date of counselling and*
- iv.. Registration on the due date and time.”*

He also places reliance upon other clauses i.e 3.7 and 3.8 of the Regulations which talk of similar terms of a candidate getting himself registered.

We have heard learned counsel for the parties on the limited controversy raised in the petition and are unable to appreciate the stand of the respondents. The petitioner who had deposited the fee and got his documents verified as also subjected himself to medical examination in terms of the procedure cannot be denied his admission and merely because he was not registered would be no ground to cancel his admission outrightly. Even if for, this course to be adopted, the petitioner ought to have been given an opportunity to get himself registered.

Besides, we notice that the registration had to be done at the end of the College and if the petitioner, desirous of seeking admission to the

CWP NO.22641 OF 2018(O&M)

3

course had appeared before them, got the documents verified and deposited the fee, there would be no justification with the University / Institute to say that the petitioner did not register with them.

We had issued notice to the Institute as well but none appears on their behalf nor any reply has been filed.

For the reason that the stand of the respondents comes across is totally arbitrary exercise of power, we are of the opinion that the writ petition deserves to succeed and consequently the petitioner shall be admitted to the course.

Ordered accordingly.

Since we have recorded that the stand of the respondents is totally arbitrary affecting the career of the petitioner which has forced him to come to the Court, we allow the writ petition with costs of ₹ 50,000/-, to be paid within a period of one month by the University as well as Institute in equal proportion and shall be compensatory to the petitioner.

(MAHESH GROVER)
JUDGE

16.10.2018
mamta

(AMIT RAWAL)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No