

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

CWP No.28891 of 2018

Date of Decision : 15.11.2018

Preeti Sharma (minor) and another

....Petitioners

Versus

State of Haryana and others

....Respondents

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

Present: Mr.Ramesh Hooda, Advocate
for the petitioners.

...

MAHESH GROVER, J. (Oral)

This is a petition where the petitioners seek issuance of a writ in the nature of mandamus directing the respondents to allow them to participate in the counselling process which is underway.

The petitioners claim that they were high up in merit in the NEET examination and secured admission with the respondent No.3 University but gave up their seats which was permitted by the University on 12.11.2018. Some of the institutes which were initially debarred from making admission on account of certain deficiencies were granted permission under the orders of this Court. Thereafter they opened the process for admission and gave out a schedule for counselling commencing 07.11.2018 and concluding on 15.11.2018.

The petitioners claim that once their admission was cancelled by the University, they should be permitted to participate in the counselling which is underway as they ought, now be considered as fresh candidates and the bar of shifting would not apply to them.

After hearing the learned counsel for the petitioners, we are of the opinion that the petitioners had voluntarily abdicated their claim to the admission and the admission/counselling notice clearly debars the students from seeking admission if they have availed of opportunity in some other college/university.

Be that as it may, it has strenuously been argued by the learned counsel for the petitioners that the seats are available and would remain so. If that is so, the institutions/university where the petitioners are desirous of seeking admission may consider the claim of the petitioners on their own particularly when the note appended to the schedule gives flexibility to the candidates who have not been registered to gain registration to participate in the mop up round.

Petition stands disposed of.

(MAHESH GROVER)
JUDGE

15.11.2018
dss

(ARUN MONGA)
JUDGE

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