

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CIVIL WRIT PETITION NO.38142 OF 2018

DATE OF DECISION: DECEMBER 21, 2018

Jagtar Singh and othersPetitioners

Versus

Kurukshetra University and othersRespondents

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA

Present: Mr.Ravinder Bangar, Advocate for the petitioners.

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TEJINDER SINGH DHINDSA, J.

Challenge in the instant writ petition is to the orders dated 25.5.2018, Annexure P9 and dated 3.12.2018, Annexure P13, and in terms of which the candidature of the petitioners herein for B.Ed. additional examination stands rejected.

Briefly, it may be noticed that the petitioners have passed their Bachelor of Education (for short 'B.Ed.') examination from Indira Gandhi National Open University (IGNU).

Rejection of the claim of the petitioners is in the light of clause 16 of an Ordinance issued by the respondent-Kurukshetra University and which reads in the following terms:

“A candidate who has already passed B.Ed./B.Ed. (Special Education) from this University or any of the State University of Haryana may appear in any additional teaching subject of B.Ed. Examination

subsequently except the subjects in which he/she has already passed the examination on submission of the prescribed examination form and payment of admission fee as prescribed by the University from time to time.

Provided that:-

(i) in the case of a teaching subject, he must have already passed the degree examination in that subject;

(ii) in addition to the Written Paper of the Teaching subject, the candidate shall undergo a practical test in the Teaching of the additional subject taken by him;

(iii) such candidates will be required to register themselves with any B.Ed. College of this University by paying a fee of Rs.200/- to the concerned College/ Institution by 31st October of the respective session."

Learned counsel does not dispute the factual position that the B.Ed. qualifications possessed by the petitioners are not from Kurukshetra University and neither from any State University of Haryana.

Clearly, petitioners were not eligible to take the B.Ed. additional examination as per Ordinance (Clause 16) reproduced hereinabove.

No infirmity, as such, is found in the impugned orders and, particularly, in view of the fact that no challenge has been raised to clause 16 of the Ordinance.

At this stage, learned counsel would submit that the petitioners were not at fault inasmuch as in spite of being not

eligible as per relevant Ordinance, they had been granted admission by the College in question. In this regard, it would suffice to observe that mere grant of admission by a private College in utter dis-regard of the eligibility conditions laid down under an ordinance issued by the Affiliating University would not vest any right in favour of the petitioners.

No merit.

Petition dismissed.

DECEMBER 21, 2018
SRM

(TEJINDER SINGH DHINDSA)
JUDGE

Note:	<i>Whether speaking/reasoned:</i>	<i>Yes/No</i>
	<i>Whether Reportable:</i>	<i>Yes/No</i>