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IN THE HIGH COURT OF DELHI AT NEW DELHI

Judgment delivered on: 30.08.2018

W.P.(C) 6937/2018, CM APPL 26322/2018

**SANDALI SHARMA THROUGH SH. PRAVEEN KUMAR SHARMA
(GAURDIAN)** Petitioner

versus

DELHI UNIVERSITY AND ORS Respondents

Advocates who appeared in this case:

For the Petitioner : Ms. Rachana Chhiber, Advocate.

For the Respondents : Mr. Amit Bansal and Ms. Seema Dolo, Advocates for
R-1.
Ms. Isha Mital and Mr. Apoorv Kurup, Advocates for
R-2.

**CORAM:
HON'BLE MR. JUSTICE SIDDHARTH MRIDUL**

J U D G M E N T

SIDDHARTH MRIDUL, J (ORAL)

1. The present petition instituted under Article 226 of the Constitution of India prays as follows:-

a) To allow the present writ petition under article 226 of Constitution of India, 1950 for issuance of writ of mandamus or any other writ, order and direction to the respondents to admit the petitioner in the batch of

2018-2019 in the course namely Bachelor of Science in Physical Education, Health Education and Sports in Deshbandhu college/respondent no. 2 in the interest of justice;

b) To direct the Respondents to reserve a seat for the petitioner till the outcome of the present writ petition.

c) Pass any other or further directions(s)/order(s) in favour of Petitioner and against the Respondents that may be deemed just and proper in the facts and circumstances of the present writ petition.

2. Although, the petitioner has secured more than 86.25 percent marks in Class 12th examinations conducted by the U.P. Board, she was unfortunately misled by an individual, working at a local cyber cafe, whose assistance she had sought, for filing her application online, for admission in Undergraduate Courses offered by the University of Delhi.

3. It is the petitioner's assertion that, the said individual after receiving the requisite amount from the petitioner, informed the latter that her application had been submitted online and that the process for submission of her application for admission had been completed.

4. It is the petitioner's assertion that, on account of the circumstance that, she is not computer literate, she reposed faith in the said individual.

5. Resultantly, after the publication of the third cut-off list, the petitioner realized that although, she had secured the requisite percentage, she was not considered for admission by the official respondents, on account of the circumstance that, the latter had not received her registration form and requisite fee online.

6. Aggrieved by the denouement, the petitioner has filed the present proceeding, essentially seeking a direction to the University of Delhi to grant her admission in the course of Bachelors of Science, Physical Education for the academic session 2018-19.

7. This Court had issued notice on the petition, essentially requiring the University of Delhi to place on record the correct position with respect to the petitioner's application for admission.

8. The University of Delhi has filed a short affidavit stating therein that, the petitioner neither has filed an application nor has deposited the requisite fee therefor, in accordance with the bulletin of information furnished by them.

9. In this backdrop, it is urged on their behalf that, the petitioner cannot be granted admission to the University of Delhi since she has not complied with the conditions whereunder admissions are granted.

10. The above position is not refuted by learned counsel appearing on behalf of the petitioner. It is, however, urged that, since the petitioner possess the requisite merit, she ought to be considered for admission to the subject course.

11. I regretfully deny her request to do so, in view of the facts and circumstances of the present case, elaborated herein above.

12. It is unfortunate that, the petitioner was misled by the said person who is a complete stranger. However, that cannot be a ground for this Court to direct the University of Delhi to grant the petitioner admission, only on the basis that she possessed the requisite percentage because she failed to fulfil the conditions provided in the bulletin of information issued by the University of Delhi and resultantly, was unable to file an application form complete in all respects online, as mandated thereunder.

13. In view of the above foregoing, the writ petition is dismissed. The pending application disposed of.

SIDDHARTH MRIDUL
(JUDGE)

AUGUST 30, 2018

p'ma