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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 7038/2018**

**SHIKHA VATS THROUGH FATHER
NAVEEN SHARMA**

..... Petitioner

Through: Ms. Archana Pathak Dave and Ms.
Ankita Chaudhary, Advocates

versus

UNIVERSITY OF DELHI AND ANR

..... Respondents

Through: Mr. Amit Basal and Ms. Seema Dolo,
Advocates for R-1 & R-2

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

ORDER

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19.07.2018

The present petition under Article 226 of the Constitution of India has been instituted on behalf of the petitioner, praying for the following reliefs:-

“It is, therefore, most respectfully prayed that this Hon’ble Court may kindly be pleased to:-

- A. Issue appropriate writ(s), order(s) or direction(s) to the respondent to give admission to the petitioner for B.A. (Hons) English Course for the academic session 2018-19 under OBC Category in Miranda House College after due verification of her OBC Certificate; and
- B. Issue appropriate writ(s), Order(s) or direction(s) to the respondent to consider the case of the petitioner for B.A. (Hons.) English Course for the academic session 2018-19 under OBC CATEGORY IN Miranda House College; and
- C. Pass such other order or orders as this Hon’ble Court may deem fit and proper in the facts and circumstances of the present case.”

When the matter first came up for hearing on 09.07.2018, while issuing notice, this Court was pleased to direct the official respondent to keep one seat vacant for the petitioner in B.A. (Hons.) English Course for the academic session 2018-19, under the OBC Category in Miranda House College, if not already filled up.

It is an admitted position that, the petitioner had initially applied for admission under the General Category and not under the OBC Category, to which she is stated to belong; as a result of that, her candidature for admission in the said course under the OBC category was not considered by the official respondent. It is further an admitted position that, on 09.07.2018, the day when the order directing the respondents to keep one seat vacant in the said course in the OBC Category, for the current academic session, was passed, the seats for the said course in the said category had already been filled up.

In other words, the writ petition had been rendered infructuous on the day that it was first listed for hearing before this Court.

Be that as it may, if the respondent/University permits the petitioner to change her category, in accordance with law, she may be considered by the latter for admission to the subject course or any other course that she may have applied for, in a college where admissions are still open.

With the above directions, the writ petition is disposed of. The pending application also stands disposed of.

A copy of this order be given *dasti* under the signature of Court Master to counsel for the parties.

JULY 19, 2018/*dn*

SIDDHARTH MRIDUL, J