

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 2568 of 2019**

Diptee Kashyap, D/o. Cheduram Kashyap, Aged About 17 Years, Through Her Legal Gaurdian Her Father Ganesh Ram Kashyap, Aged About 49 Years, R/o. Village Khairtal, Post Katoud, Police Station- Tahsil- Navagarh, District Janjgir- Champa, Chhattisgarh.

---- Petitioner**Versus**

1. Guru Ghasidas Vishwavidyalaya, Through Vice Chancellor, Koni, Bilaspur, District Bilaspur, Chhattisgarh.
2. Registrar, Guru Ghasidas Vishwavidyalaya, Koni, Bilaspur, District Bilaspur Chhattisgarh.
3. Head Of The Department, S.L.T. Institute Of Pharm. Sciences Guru Ghasidas Vishwavidyalaya, Bilaspur, Chhattisgarh.
4. Abhishek Chandraker (PWD) Student Of B-Pharm 1 Semester, Guru Ghasidas Vishwavidyalaya, Bilaspur, SLT Institute Of Pharmaceuticals Sciences, Bilaspur, Chhattisgarh.

---- Respondents

For Petitioner : Mr. Yogesh Pandey, Advocate

For Respondent No.1 to 3 : Mr. Neeraj Choubey, Advocate

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****30.09.2019**

Heard

1. The present petition is for admission to the stream of B.Pharm. First Semester with the Guru Gasidas University/ Respondent No.2. The department wherein the petitioner wants her admission is SLT Institute of Pharmaceuticals Science, Guru Ghasidas University Bilaspur.
2. It is contended that the petitioner has passed out from National Institute of Open Schooling and thereafter appeared in entrance exam and as per the merit of entrance test of B.Pharm., she was placed at serial No.41. It is stated that the total seats of B.Pharm is 75 and for open category it was 32. It is stated that the petitioner though was selected, at the time of counseling, has submitted the transfer certificate Annexure P-2 that being

not the original one, the petitioner could not be admitted within the cut off date. However, subsequently she has procured the original Migration-Cum-Transfer Certificate from the National Institute of Open Schooling from Delhi. The counsel, during the course of hearing, has also placed on record the photocopy of the Migration-Cum-Transfer Certificate issued by the Deputy Director of the Institute, which is also countersigned by the Coordinator of the School Akaltara, Janjgir-Champa. As per the information, an affidavit filed by the University shows that as on date, three open seats have fall vacant due to cancellation of admission of three students and one seat is also vacant for SC category.

3. Taking the factual aspect, it appears that on the basis of Annexure P-2, the petitioner was not given admission in the Department of S.L.T. Institute of Pharmaceuticals Science, Guru Ghasidas University, on the ground that the transfer certificate was not original and it was signed by the Coordinator alone. It has been stated that the original Migration-Cum-Transfer Certificate has been received from Delhi, the photocopy of the same is also placed on record, which is issued by the Deputy Director, National Institute of Open Schooling. The respondent No.1 to 3 has placed an affidavit to show at present 3 seats in the general category are vacant as on today. In the background of the facts, since it is stated that 3 seats are vacant in the open course of B.Pharm and no prejudice would be caused as to the either parties, if the petitioner is admitted to the course. The petitioner had otherwise too secured her position in the merit in the general category, but could not be admitted for want of original Transfer Certificate. In facts of the case, it is directed that the petitioner on depositing of the original certificate of Migration-Cum-Transfer Certificate along with fees within a period of 7 days from today shall be admitted to the course of B.Pharm First Semester of S.L.T. Institute of Pharmaceuticals Science run by the Guru Ghasidas University.

4. With the aforesaid observation, the writ petition stands disposed of.

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Sd/-
Goutam Bhaduri
Judge