

CWP no. 6412 of 2019 (O&M) 1

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

CWP no. 6412 of 2019 (O&M)

Date of Decision : 14.05.2019

Khattu JI Paramedical Technology Educational & Research Society

....Petitioner

Versus

Govt. of India and others

...Respondents

**CORAM : HON'BLE MR.JUSTICE MAHESH GROVER
HON'BLE MR JUSTICE LALIT BATRA**

Present : Mr.R.K.Malik, Sr. Advocate with
Mr. Sunil Hooda, Advocate for the petitioner

Mr. Chetan Mittal, Sr. Advocate with
Mr. Varun Issar, Advocate for respondent-UIO

MAHESH GROVER, J.(ORAL)

This is a petition where the petitioner prays for enforcement of the decision (Annexure P-1) which enables it to fill up the vacant seats.

The respondents have filled up the vacant seats from the State of Punjab in the courses referred to as ITOTs. Respondents have filed their reply stating that the petitioner-institute was informed of the deficiencies in the institute.

Learned counsel for the petitioner states that no final decision has been taken but deficiencies certainly have been pointed out which stand rectified.

When we asked him repeatedly as to whether he has asserted this fact somewhere in the petition that deficiencies have been removed or

whether he has filed any counter affidavit in this regard, learned counsel for the petitioner was merely evasive.

We are of the opinion that once deficiencies have been pointed out to the petitioner, it is implicit therein that the permission to fill up vacant seats cannot be granted. In fact the entire admission process of the petitioner can be in a jeopardy. In the given situation, we cannot enforce the decision of the respondents. Hence, instant petition is hereby dismissed but with liberty to the petitioner to approach the respondents and satisfy them that the institution is free from all deficiencies and thus pray for intake of students.

(Mahesh Grover)
Judge

14.05.2019
rekha

(Lalit Batra)
Judge

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