

271

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

CWP No.16441 of 2019

Date of Decision: 17.07.2019.

Association of Private Self-Financing Institutes of Haryana

...Petitioner

Versus

State of Haryana and others

....Respondent

Coram : Hon'ble Mr. Justice B.S.Walia

Present: Mr. Nitin Jain, Advocate for the petitioner.

Mr. Pankaj Mulwani, DAG, Haryana.

Mr. P.K. Chugh, Advocate for respondent No.3.

B.S.WALIA, J (Oral).

1. Learned counsel for the petitioner contends that earlier the criteria for making admission was that 50% of the seats were to be filled up by the petitioner-Association at their own level while 50% of the seats were to be filled up on the basis of counseling to be conducted by respondent No.3 with the rider that in the eventuality of 50% seats to be filled up by respondent No.3 remained unfilled, the same would be filled up by the petitioner-Association. However, with effect from the session 2019-2020, the criteria has been changed, vide which, petitioner association and respondent No.3 can fill up the seats in the ratio of 25% and 75% respectively. The grievance of the petitioner is that in case 75% seats to be filled up by respondent No.3 remain unfilled, then no mention has been made in the

handbook/impugned prospectus as to whether it would be open to the colleges of the petitioner-Association to fill up the unfilled seats at their own level.

2. As regards physical reporting of the students for verification of their documents, learned counsel for the petitioner states that he has already submitted a representation Annexure P/3 dated 08.05.2019 to respondent No.2 and 3 but that no decision has been taken in respect thereto and that he be granted liberty to pursue the same with the authorities.

3. Learned counsel for respondent No.3 states that pursuant to the decision taken by the government, left over/unfilled seats of online counseling to be filled out by respondent No.3 have been allowed to be filled up by all concerned institutes at their own level. In other words, in the eventuality of 75% of the seats to be filled up on the basis of online counseling by respondent No.3, remaining unfilled, it would be open for the colleges of the petitioner-Association to fill up the same at their own level.

4. Learned counsel for the petitioner states that in view of the statement of learned counsel for respondent No.3, he does not press the writ petition and the same may be disposed of as having become infructuous.

5. In the light of the position as noted above as well as statement of learned counsel for the parties, prayer for filling up of seats remaining unfilled during online counselling by respondent No.3 by the colleges of the petitioner's Association stands disposed of. However, liberty is granted to the petitioner to pursue remedy with the Authorities

in respect of grievance as contained in representation Annexure P-3 dated 8.5.2019.

6. Writ petition is disposed of in the aforementioned terms.

(B.S.WALIA)
JUDGE

17.07.2019
rajesh.k.khurana

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