

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

Sr. No. 104

CWP No.18357 of 2019 (O&M)

Date of decision : 10.7.2019

Parul Aggarwal

..... Petitioner

VERSUS

Government Medical College & Hospital, Sector 32, Chandigarh and
others

..... Respondents

**CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY
HON'BLE MR. JUSTICE SUDHIR MITTAL**

Present: Mr. Amit Prashar, Advocate, for the petitioner.

SUDHIR MITTAL, J.

The petitioner is a candidate for admission in the MBBS course to be conducted by Government Medical College & Hospital, Sector 32, Chandigarh, for the academic year 2019-20. Her grievance is that her candidature has been wrongly rejected although, she possesses all the requisite eligibility conditions and thus, prays that a direction may be given to the respondents to consider her candidature.

2. According to the averments in the writ petition, the petitioner is a resident of Pipliwala Town, Bank Colony, Manimajra, U.T Chandigarh. She completed her secondary and senior secondary education from Chandigarh and is NEET qualified. Online applications were invited upto 24.6.2019, which was submitted by her in time.

However, her name appeared in the list of ineligible candidates dated

28.6.2019 (Annexure P-5). The reason mentioned against the name of the petitioner was that she had applied for admission in a State other than U.T, Chandigarh. A day earlier, a list dated 27.6.2019 (Annexure P-4) of candidates, whose documents were deficient, was uploaded and they were granted time upto 2.00 p.m. on 29.6.2019, to remove the deficiencies. The petitioner had erroneously uploaded an affidavit mentioning therein that she had applied in the State of Haryana also. In fact, she never completed the process of application in the State of Haryana and therefore, sought time from the respondents to replace the affidavit filed alongwith her application. Despite representation, she was not permitted to replace the affidavit resulting in her name being included in final list dated 28.6.2019 (Annexure P-5) of ineligible candidates. Thus, the present writ petition has been filed.

3. Learned counsel for the petitioner submits that two affidavits dated 22.6.2019, were prepared by the petitioner, one stating that she had applied in the State of Haryana also and another stating that she had not applied in any other State or Union Territory. She had contemplated applying in the State of Haryana also but considering her merit, she decided not to apply in the said State. Inadvertently, the wrong affidavit was uploaded and the action of the respondents in not permitting her to replace the same is arbitrary and unreasonable as candidates, who had not annexed any affidavit with their applications, were permitted to remove the deficiency by filing an appropriate affidavit.

4. The contention of learned counsel for the petitioner cannot be accepted. The petitioner had uploaded an affidavit stating that she had

applied in the State of Haryana as well. A candidate, who has applied in any other State or Union Territory, is ineligible to apply in U.T, Chandigarh and thus, the petitioner was rightly placed in the list of ineligible candidates. She cannot claim parity with students/candidates whose applications were deficient on account of non-submission of requisite affidavit because she is seeking replacement of an affidavit already submitted. If a candidate is permitted to make corrections in the application submitted by him/her, the admission process would get embroiled in confusion as candidates may seek to correct errors whenever the same come to their notice. The admission process would get unnecessarily delayed and the educational institutions are required to complete the admission process within the time schedule specified in the prospectus. It would also lead to avoidable litigation and uncertainty in the admission process.

5. There is no merit in the writ petition and the same is accordingly, dismissed.

(DAYA CHAUDHARY)
JUDGE

(SUDHIR MITTAL)
JUDGE

10.7.2019

Ramandeep Singh

Whether speaking / reasoned

Yes / No

Whether Reportable

Yes/ No