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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

-.-

Date of decision: 07.02.2019

(1) CWP No. 26711 of 2018 (O&M)

Rajesh Yadav

... Petitioner

Vs.

Lala Lajpat Rai University of
Veterinary and Animal Sciences Hisar
and others

...Respondents

(2) CWP No. 37740 of 2018 (O&M)

Deepak and another

.....Petitioners

Vs.

Lala Lajpat Rai University of
Veterinary and Animal Sciences Hisar
and others

...Respondents

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

Present:- Mr. Vivek Khatri, Advocate for the petitioner
in CWP No. 26711 of 2018

Mr. S.S. Sangwan, Advocate for the petitioners
in CWP No. 37740 of 2018

Mr. D.S. Rawat Advocate for respondents
in both petitions.

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MAHESH GROVER, J. (Oral)

This order shall dispose of above mentioned two writ petitions bearing No. CWP No. 26711 of 2018 and CWP No. 37740 of 2018 having common question of facts and law. For brevity, the facts are being taken from CWP No. 26711 of 2018.

The petitioner contends that he has been wrongly denied admission to the VLDD Course and in this regard reference has been made to the prospectus where minimum educational qualifications for the course are prescribed, which we for the purposes of reference reproduce here below:-

“5. Minimum educational qualifications for admission to DVLTT and VLDD Courses through Entrance Test:-

*i) For admission to **VLDD** Course:-*

*a) The candidate must have passed in each of the subjects of **10+2 examination from any stream.***

The grievance stems from the fact that for the purposes of calculating 60% in aggregate, the respondents have not taken into consideration the criteria adopted by the Board (Haryana School Educational Board). For clarity, the criteria of the Board for calculating the aggregate in the qualifying 10+2 examination is as below:-

*“b) The candidate under all categories must have passed matriculation/**10th standard examination** and obtained a **minimum of 60% marks** in aggregate (57% for SC category) from a recognized/approved board of school education having equivalence by Council of Boards of School Education (COBSE), New Delhi/CBSE/ICSE and also by Board of School Education Haryana, Bhiwani.*

Learned counsel of the petitioner contends that once the Board acknowledges the aforesaid criteria to calculate the aggregate the respondents were in error in not applying the same yardstick and consequently the admission denied to the petitioner is wrong. During

the Course of proceedings we had permitted the petitioner to participate in the counseling but since only management quota seats were left, the petitioner declined admission against that seat even though it was offered to him.

The respondents justified the exclusion of the petitioner from the admission process on the ground that the condition prescribed in prospectus is unambiguous and warrants no other interpretation with which we would readily agree. It is not essential for the institute to adopt the parameters prescribed by the Board to declare a student pass and assess his aggregate. An institute would be free to prescribe its own criteria and a bare perusal of the same would not show anything that suggests an oppressive clause. Besides there is no challenge to the condition imposed in the prospectus.

For the above-stated reasons, we do not find that there has been any arbitrariness in denial of admission to the petitioner.

Both the petitions are dismissed.

(MAHESH GROVER)
JUDGE

February 07, 2019
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(LALIT BATRA)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No