

CWP no. 27445 of 2018 (O&M) 1

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

CWP no. 27445 of 2018 (O&M)

Date of Decision : 09.01.2019

Puneet Verma

....Petitioner(s)

Versus

Institute of Para Veterinary Sciences and another

...Respondent(s)

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

Present : Mr.Roopak Bansal, Advocate for the petitioner(s)

Mr. D.S.Rawat, Advocate for respondent no.1

Mr. Sandeep Singh Sangwan, Advocate for respondent No.2

MAHESH GROVER, J.(ORAL)

CM No.86-CWP-2019

Allowed as prayed for.

Main case

The petitioner's grievance can be understood from a brief narration of facts.

The petitioner was desirous of pursuing his education in VLDD Course for which he was eligible and invited for counselling on 19.10.2018. His medical was conducted on the very same day and he deposited Rs.71,000/- as a part payment towards the fee. He was deficient in the income certificate which he had deposited while seeking admission in Government College, Mahendergarh. He sought two days time to bring the

said certificate. 20.10.2018 was consumed in travelling to Mahendergarh to procure the certificate and 21.10.2018 was a Sunday. On 22.10.2018 when the petitioner reported to the institute with the certificate he was informed that the seat had already been given to someone else on 21.10.2018 itself. Petitioner tried to raise an argument that 21.10.2018 being a Sunday he was labouring under an impression of the institute being closed.

Reply filed by the University falsifies the stand taken by the petitioner as complete schedule has been given in it which indicates that 20th and 21st October both were working days and the petitioner was clearly at fault in not depositing the remaining fee and providing the certificate.

We, therefore, do not have any reason to interfere. Even if we were to exercise equitable jurisdiction in favour of the petitioner, we notice that a person who has been granted the admission would necessarily have to be displaced and a perusal of the memo of parties shows that said incumbent is not before us as a respondent. Otherwise also it would be too harsh to unsettle a person who has been granted the admission when no fault is attributed to him. We decline interference but leave it open to the University to consider the claim of the petitioner in case there is some seat available.

Disposed of in above terms.

(Mahesh Grover)
Judge

09.01.2019
rekha

(Lalit Batra)
Judge

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No