

**CWP no. 30160 of 2018 (O&M) 1**

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

**CWP no. 30160 of 2018 (O&M)**

**Date of Decision : 14.02.2019**

Simmi Mahant

....Petitioner(s)

Versus

State of Punjab and others

...Respondent(s)

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

**Present :** Ms.Naveena Sharma, Advocate for the petitioner

Mr. Suveer Sheokand, Addl. AG, Punjab

Mr. T.P.S.Makkar, Advocate for respondents No. 2 and 3

**MAHESH GROVER, J.(ORAL)**

This petition has been filed by the petitioner seeking a writ in the nature of Mandamus to consider her case for admission to B.A. Part 1 course as a special case being a transgender. It is not disputed by the petitioner that she applied beyond the last date.

We may notice for our purpose that the last date prescribed by the University was 10.10.2018 with late fee, whereas the petitioner applied on 30.10.2018.

The respondents have filed their reply to justify the denial of admission and strictly speaking we cannot find fault with the University for strict adherence to the admission schedule but we cannot be oblivious to the fact that the petitioner belongs to a special category which would need a more sympathetic consideration. It is important for us to keep in mind that

people such as the petitioner are making desperate attempts to break into the society and be accepted as normal beings. It is thus duty of each and every segment of the society i.e University, Educational Institutes as also the Courts to extend a helping hand to them. In matters such as these one should willingly step out of the strict regimens and break therefrom to facilitate their assimilation in society and open doors of education and hence employment opportunities. The efforts of persons such as the petitioner to seek education should be construed a welcome step.

We, therefore, accept the petition and direct the respondents to admit the petitioner forthwith to the course in question and if necessary encourage her to complete the course, even if some extra classes have to be conducted for the purpose so as to enable her to catch up with the lost time.

**(Mahesh Grover)**  
**Judge**

14.02.2019  
rekha

**(Lalit Batra)**  
**Judge**

Whether speaking/reasoned  
Whether reportable

Yes/No  
Yes/No