

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

104

CWP No.23431 of 2019

Date of Decision: September 17, 2019

Deepanshu Monga

.....Petitioner

versus

State of Punjab and others

....Respondents

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

Present: Mr. Deepanshu Monga, petitioner in person.

SUDHIR MITTAL, J.

The petitioner allegedly is a National Level Sports Person in Netball. She cleared the NEET (National Eligibility cum Entrance Test) 2019 Examination and applied for admission to the MBBS/BDS Course pursuant to a prospectus in this regard issued by Baba Farid University of Health Sciences, Faridkot. Her application was in the sports category and Sports Gradation certificate was annexed therewith. However, the petitioner was not considered in the sports category as according to the prospectus only a person who has participated in a sports activity in XI and XII classes can be considered in the said category. Accordingly, she has challenged Clause 17(7) of the Prospectus

pertaining to the said provision.

2. The petitioner submits that she has participated at the National Level, when she was studying in Class X as is evidenced by the sports Gradation Certificate (Annexure P-2). Thereafter, she participated in various events in Classes XI and XII also but she did not get those events included in the Gradation Certificate. Candidates whose achievements were less than those of the petitioner while studying in Classes XI and XII have been considered in the sports category. Thus, the petitioner has been discriminated against and directions may be issued to the respondents to consider her candidature in the sports category.

3. The challenge to Clause 17(7) of the Prospectus prescribing that only those sports person, who have participated in sports events in Class XI and XII shall be considered in the sports category, is on the ground of arbitrariness. The petitioner submits that a person, who has participated in a sports event in Class 10th should also be considered. However, we do not find merit in this submission as requirement of participation while studying in Classes XI and XII is obviously for the reason that such sports persons be given some kind of an incentive for their inability to devote adequate time to studies. The challenge on the ground of arbitrariness thus has to fail. The petitioner cannot succeed on the ground of discrimination also because her Sports Gradation certificate does not contain her achievements while studying in Classes XI and XII. Thus she cannot complain that candidates whose achievements while studying in Classes XI and XII have been considered,

have been given preferential treatment. differently.

4. The writ petition lacks merits and is accordingly dismissed.

(DAYA CHAUDHARY)
JUDGE

(SUDHIR MITTAL)
JUDGE

September 17, 2019
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Whether speaking/reasoned :	Yes
Whether Reportable :	No