

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

(1)

CWP No. 8108 of 2018

Ranjit Singh and another

.... Petitioners

Versus

Panjab University, Chandigarh and others

... Respondents

(2)

CWP No. 38141 of 2018

Prabhjot Singh Jassar

.... Petitioner

Versus

Panjab University, Chandigarh and another

... Respondents

(3)

CWP No. 1259 of 2019

Iqbal Singh

.... Petitioner

Versus

Panjab University, Chandigarh and another

... Respondents

Date of decision : 17.12.2019

CORAM : HON'BLE MRS. JUSTICE DAYA CHAUDHARY

HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present : Mr. Vinod Bhardwaj, Advocate for the petitioners
in all the three petitions.

Mr. G. S. Dhillon, Advocate for respondent No.1-Panjab
University in all the three petitions.

Mr. Surmeet S. Sandhu, Advocate for
Mr. Gagneshwar Walia, Advocate for respondent No. 2 in all
the three petitions.

Mr. Kunal Mulwani, Advocate for respondent No.4-GMVSS
in CWP No.8108 of 2018.

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DAYA CHAUDHARY, J.

By this judgment of ours, the above mentioned three writ petitions shall be disposed of as common questions of law and facts are involved therein. However, the facts are being extracted from CWP No.8108 of 2018 titled Ranjit Singh and another Vs. Panjab University Chandigarh and others.

Petitioner No.1 Ranjit Singh took admission in B.A. 1st year in Sri Guru Gobind Singh College, Sector 26, Chandigarh (respondent No.2) for the academic session 2016-17. Petitioner No.2 Manil Mongia also took admission in B.A. 1st year (B. Ed. 4 years Integrated Course) in D.A.V. College, Sector 10 Chandigarh (respondent No.3) for the academic session 2016-17. As per the case of the petitioners, they completed all the formalities at the time of admission and deposited the requisite fee with their respective colleges and also submitted all relevant original documents. They were issued identity cards and roll numbers of their courses by their respective colleges. All the documents were verified before granting admission to them. Both the colleges, where the petitioners took admission, were affiliated with Panjab University, Chandigarh (respondent No.1). Petitioners appeared in the examinations of 1st and 2nd semesters of their respective courses. However, their results were not declared because of the reason that they had passed their 10+2 examinations from the Board of

Grameen Mukta Vidhyalayi Shiksha Sansthan, New Delhi (for short – 'GMVSS'). University verified the genuineness of their 10+2 examination certificates and, therefore, wrote a letter dated 06.07.2017 to the concerned Board, from where the petitioners passed their 10+2 examinations. It was found that the certificates issued to the petitioners were genuine. It was also found that the petitioners were eligible for getting admission/job anywhere in India. The 10+2 examination certificates were issued to the petitioners from the office of concerned Board situated at Delhi. The offices of said Board were situated at different places in the country. It was also informed that all the offices of the Board were genuine and it could also be verified from the website of the Board.

In spite of verification done by the respondent-University and the colleges, still the result of the petitioners of 1st and 2nd semesters was not declared. Petitioners requested their respective colleges and even made written representation but neither any action was taken nor result was declared.

Similarly, petitioner Prabhjot Singh who filed CWP No. 38141 of 2018, took admission in B.C.A. in Sri Guru Gobind Singh College, Sector 26, Chandigarh (respondent No.2) for the academic session 2016-17 and his admission for B.C.A. 1st and 2nd semester was cancelled by the respondent No.1-University vide letter dated 09.06.2017 and the petitioner is seeking quashing of said letter. A further direction has also been sought to respondent No.1-University to declare his result of B.C.A. 1st and 2nd semester and to allow him to continue in the next semester.

Petitioner Iqbal Singh took admission in B.A. 1st year with

respondent No.2-College for the academic session 2017-2018 filed CWP No.1259 of 2019 for quashing of impugned letter dated 02.04.2018, whereby his admission in B.A. 2nd semester had been cancelled. A further direction was sought to be issued directing respondent No.1-University to declare his result of B.A. 1st semester and to allow him to take admission in the subsequent semester.

Learned counsel for the petitioners submits that in spite of making verification, neither the result was declared nor they were granted admission in the next semester. Learned counsel also submits that legal notice dated 14.02.2018 was also not considered. Learned counsel further submits that the career of the petitioners is at stake and in spite of verification made by the respondent-University, neither they are being allowed to take admission in the subsequent semesters nor in any other course and as such respondent-authorities are playing with the career of the petitioners. At the end, learned counsel for the petitioners submits that after verification of their 10+2 examination certificates by the respondent-University, letters were written to both the petitioners certifying that their certificates of 10+2 were genuine but still nothing has been done.

Mr. G. S. Dhillon, learned counsel appearing on behalf of respondent-University submits that the petitioners had passed 10+2 examination from Board of GMVSS, Delhi but having not come across such board previously, the equivalency of GMVSS, Delhi was enquired by the University and found that the Board from where the petitioners passed their 10+2 examinations, was not recognized by Panjab University, Chandigarh and they were not found eligible for admission to their respective

classes/semesters.

Learned counsel also submits that place of issuance of certificate has been mentioned as Uttarakhand instead of any specific city or town where the Board is situated. The GMVSS Board, Haldwani, Uttarakhand is recognized by the University but in the mark-sheets of the petitioners the specific place of issue is missing and only the name of State of Uttarakhand is mentioned.

Heard arguments of learned counsel for the parties. We have also perused the relevant documents available on the file including the certificates of the petitioners, letters written by the University and response thereof.

Granting admission to the petitioners and verification of their documents have not been disputed. Admittedly, the petitioners appeared in their respective semester examinations but their result was not declared only on the ground that their certificates of 10+2 examination were not found genuine. Nothing has been stated or brought on record during arguments raised by learned counsel for the respondent-University that the petitioners concealed any information while submitting applications for admission. The petitioners were not only granted admission but they were also allowed to sit in the examinations of 1st and 2nd semesters. However, their result was not declared only on the ground that the centre from where they passed 10+2 examination was not recognized by the University as in two certificates, the place has been mentioned as Uttarakhand and in one certificate, the place has been mentioned as Delhi. As per the case of the petitioners and verification by the University, there are regional offices at

different places and certificate is being issued by mentioning the names of different centres but the Board is situated at Haldwani in State of Uttarakhand. It cannot be said that two different Boards are there. The Board is only one, having regional offices at different places. The dispute is of mentioning the places where regional offices are situated. Moreover, petitioners have not concealed anything at the time of seeking admission and genuineness of their certificates was also verified by the University. The facts as mentioned above finds authentication from letter dated 29.06.2017 written by the Secretary, GMVSS to the Registrar of the University stating that in the academic year 2016, GMVSS issued the DMC (detailed marks card) with place "Delhi" but from academic year 2017, it was issued with place Uttarakhand and because of said facts, there is variation in the name of places.

In the written statement filed on behalf of respondent No.4- GMVSS Board, it has been averred that Government of Uttarakhand has issued Gazetted Notification dated 23.04.2016, whereby it has specifically been mentioned that the High School and Intermediate Examination conducted by said Board had been recognized by the State. The respondent-University also granted recognition to the respondent-Board vide letter dated 28.06.2017 for the purpose of higher education at Panjab University. Apart from Panjab University, a number of institutes and States have also recognized the certificates/ qualification of respondent-Board and have also issued Gazetted Notifications and letters, as is clear from documents Annexure R-4/4 (Colly) annexed with the reply of respondent No.4.

In view of the facts as mentioned above, we are of the

considered view that the result of the petitioners has wrongly been withheld as admission was granted on the basis of genuine documents, which were subsequently duly verified by the respondent No.1-University and also on the basis of documents annexed with the affidavit by respondent-Board.

Accordingly, all the three petitions are allowed. Impugned letter dated 02.04.2018 (Annexure P-3) in CWP No.1259 of 2019 and letter dated 09.06.2017 (Annexure P-10) in CWP No. 38141 of 2018, of cancellation of admission, are set aside. Respondent No.1-University is directed to declare the result of all the petitioners of their respective semesters and allow them to appear in the next examination/examinations, if they are otherwise eligible, within a period of one week from the date of receipt of certified copy of the order passed by this Court.

**(DAYA CHAUDHARY)
JUDGE**

Dated : 17.12.2019
sunil yadav

**(MEENAKSHI I. MEHTA)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No