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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ LPA 167/2019

BHIM TIWARI

..... Appellant

Through: Ms.Harini Ragupathy, Adv.

Versus

AMBEDKAR UNIVERSITY , DELHI & ANR Respondents

Through: Mr.T.S.Nanda, Adv. for R-1.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

% **12.03.2019**

C.M.No.11536/2019 (delay)

For the reasons stated in the application, delay in filing the appeal is condoned and the application is disposed of.

LPA No.167/2019

1. Seeking exception to an order passed by the learned writ Court on 15th October, 2018 in W.P.(C) No.9132/2018 in the matter of admission to a course, namely, M.Phil (History) in the respondent University for the academic year 2018-19, the appellant has filed this appeal under Clause 10 of the Letters Patent.

2. Even though the learned counsel for the appellant argued that statement made on behalf of the University in para-5 of the impugned order is patently incorrect and seats are available for adjustment of the petitioner, we find that last candidate admitted had scored 78.5% marks and the petitioner had scored 61.5% marks only and this was one reason for which the petition was dismissed.

3. It is the case of the petitioner that the statement made before the Court is contrary to the information furnished to her under the Right to Information Act, we are of the considered view that once the petitioner has not scored the marks on which the last candidate was admitted and there is no averment that any person scoring less marks than the petitioner has been given admission, we see no reason to make any indulgence into the matter.
4. The appeal is accordingly dismissed.

CHIEF JUSTICE

ANUP JAIRAM BHAMBHANI, J

MARCH 12, 2019

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