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

+ LPA 451/2019

VEDANT GUPTA

..... Appellant

Through: Mr. Ankit Jain & Mr. Siddhant Nath,
Adv.

versus

INDIA INSTITUTE OF TECHNOLOGY & ANR Respondents

Through: Mr. Arjun Mitra, Adv.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE C.HARI SHANKAR

ORDER

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22.07.2019

CM APPL. 31541/2019 (*Exemption*)

Allowed, subject to all just exceptions.

Application stands disposed of.

LPA 451/2019 & CM APPL. 31540/2019 (*Stay*)

1. Counsel appearing for the appellant has argued out the case at length about the allotment of a seat to the appellant in the Indian Institute of Technology (IIT) on the basis of JEE (Advanced), 2019. Much has been argued out about the Seat Allocation Round No.1, Seat Allocation Round No.2 and allotment of the seat. The first round started from 27.06.2019, the second round held on 03.07.2019 and the allotment concluded on 18.07.2019, as submitted by the counsel for respondents No.1 and 2 in the counter affidavit dated 19.07.2019.

2. Counsel for the respondents has taken over this Court to various pages of this LPA including the page 124-SMS, page 126-127 and 151 which

narrates the incident of non-issuance of provisional seat allocation letter by respondents No.1 and 2 to this appellant (original petitioner).

3. It is submitted by the counsel for respondents No.1 and 2 that once the process of allotment of seats is already over, nothing is left out in this LPA and no error has been committed by the Single Judge while deciding the writ petition preferred by this appellant (original petitioner) in W.P. (C) 7282/2019 vide judgment and order dated 09.07.2019.

4. Counsel appearing for the appellant (original petitioner) at this stage submitted that let this LPA be treated as representation to respondents No.1 and 2 and if any seat is vacant, they can consider the case of this meritorious appellant. The error committed by this appellant may not be encashed by this institution which is 'State' within the Article 12 of the Constitution. As the counsel for the appellant is not pressing this LPA and wants to approach respondent No.1, this appellant is permitted to go to respondents No.1 and 2.

5. This LPA will be treated as representation and if there is any seat vacant and if the rules, regulations and government policy applicable allows the respondents to allot a seat to the appellant, the same will be considered by respondent No.1.

6. With the aforesaid observation, this LPA is hereby disposed of. Pending application also stands disposed of.

Dasti.

CHIEF JUSTICE

JULY 22, 2019/ns

C.HARI SHANKAR, J