

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

CWP NO.17415-2020 (O&M)
Date of Decision: 23.11.2020

SHALINI

....PETITIONER..

Versus

PUNJAB UNIVERSITY, CHANDIGARH
AND ORS.

....RESPONDENTS

**CORAM: HON'BLE MR. JUSTICE JASWANT SINGH
HON'BLE MR. JUSTICE SANT PARKASH**

Present : Mr. Sukhcharan S. Gill, Advocate for the petitioner.

Mr. Subhash Ahuja, Advocate,
for the respondent-University.

SANT PARKASH , J.

*(The aforesaid presence is being recorded through video conferencing
since the proceedings are being conducted in virtual court)*

CM-11381-CWP-2020

Prayer in this application is for preponement of present petition,
which is fixed for 11.12.2020.

Learned counsel for the respondent/University has no objection
to the prayer made in the application.

In view the above, application is allowed and hearing of the
main case, which is fixed for 11.12.2020, is pre-poned and is taken up
today itself.

CM stands disposed of.

CWP-17415-2020

Instant petition has been filed under Article 226 of the
Constitution of India for issuance of a writ in the nature of certiorari for
quashing impugned circular dated 30.09.2020 (P-5) relating to Entrance

Examination for M.Phil/Ph.D. 2020 course to be held at Panjab University issued by respondent No.3, whereby all the entrance examinations have been scrapped. With further prayer directing the official respondents to conduct the entrance examination as per the UGC Guidelines which mandates the entrance examination for M.Phil/Ph.D. and for restraining the official respondents to start the admission process till the pendency of this case.

The petitioner is a student of LLM Final Year in the respondent/University, awaiting result of her LLM course and in the meanwhile, if the admission process will start then she will be unable to make her admission for higher studies in the Ph.D Course. The respondent/university is governed by the UGC Guidelines dated 05.07.2016, whereby it has been mentioned that there shall be an entrance examination for M.Phil/Ph.D courses to be conducted by the Universities, which is mandatory. However, the respondent/university is neglecting the mandatory guidelines and operating arbitrarily in its own way by giving itself a blanket of COVID-19 pandemic.

It is submitted that the respondent/university has released the prospectus regarding the examination for the concerned courses and an amount of Rs.2175/- was charged for the entrance examination and now, respondent No.3 has scrapped all the entrance examinations and will pursue the admission process only on the basis of merit (percentage in graduation/post graduation etc.).

The validity of the decision of the respondent-University to scrap the entrance examination and to make admissions on the basis of marks obtained in the eligibility examination was upheld by this Court in

CWP No.16962-2020 titled as "**Chiraag Malli vs. Panjab University, Chandigarh and others**", **CWP-17507-2020** titled as "**Rosen and another vs. Panjab University and others**", and **CWP No.18993-2020(O&M)** titled as "**Anirudh Sharma vs. Panjab University, Chandigarh**", which fact is not disputed by learned counsel for the parties.

In view of the above, the present petition is disposed of in the same terms as CWP No.16962-2020 decided on 04.11.2020 and CWP No.18993-2020 decided on 10.11.2020.

CM-12372-CWP-2020

Prayer in this application is for impleading University Grants Commission, Bahadur Shah Zafar Marg ITO Metro Gate Number 3, Road, New Delhi through its Chairman as respondent No.4.

Since, the main petition is disposed of, no order is required to be passed in this application.

(JASWANT SINGH)
JUDGE

(SANT PARKASH)
JUDGE

November 23, 2020
sonika

whether speaking/reasoned: Yes/No
whether reportable: Yes/No