

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

**Civil Writ Petition No. 19315 of 2020
Date of decision: 19th November, 2020.**

Kapil Chadha

....Petitioner

Versus

The Panjab University, Chandigarh.

....Respondent

(Heard through Video-Conferencing)

**CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY
HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA**

Present: Mr. Suram Singh Rana Advocate,
for the petitioner.

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MEENAKSHI I. MEHTA, J.

By way of this petition, the petitioner has sought the indulgence of this Court for issuance of a writ in the nature of mandamus directing the respondent-University to take the percentage of the marks, secured by him in M.Phil, into consideration for the purpose of preparing the merit list for admission in LL.B. (03 years) course for the Session 2020-21 and to consider him for admission in the said course.

2. Bereft of unnecessary details, the factual matrix, as put-forth by the petitioner in this petition, is that on 27.09.2020, the respondent-University advertised (online) 300 seats for admission in LL.B. (03 years) course for general and reserved candidates. In pursuance thereof, he applied for admission in the said course. However on 23.10.2020, the respondent issued a circular (Annexure P-5) wherein it was informed that the various entrance tests, including PU-CET(PG), were scrapped due to the outbreak of Pandemic Covid-19 and that

the admission criteria (proposed) for the course under CET(PG) would be based on merit of UG/PG. Thereafter, on 31.10.2020, he submitted his M.Phil. (Economics) Degree, wherein he had scored grade 'A', equivalent to 80% marks, for the same being taken into consideration while preparing the merit list of the candidates aspiring to get admission in the above-said course. On 03.11.2020, he personally met the authorities at Law Department with the same request but an objection was raised that as per the fresh criteria, UG/PG marks were to be taken into consideration and there was no mention in the same for considering the higher qualification such as M.Phil. etc., for preparing the said merit list. The provisional merit list was prepared by the respondent-University and was uploaded (online) on 04.11.2020 showing his ranking at Sr. No.539. The University has illegally and arbitrarily ignored the higher percentage of the marks secured by him in M.Phil.

3. We have heard learned counsel for the petitioner at the preliminary stage, in this petition and have also perused the file thoroughly.

4. Learned counsel for the petitioner contends that consequent upon the scrapping of the entrance test for LL.B. 03 years course in view of the outbreak of Pandemic Covid-19, the respondent-University, vide Annexure P-5, proposed to fix a fresh admission criteria for the same which was completely based on the merit of UG/PG whereas the petitioner, after graduating in Commerce (B.Com) and doing M.A in Economics while securing 63% and 69.5% marks respectively, did his M.Phil. in Economics with 80% marks but the marks so secured by him in M.Phil., have not been taken into consideration by the respondent-University while preparing the merit list of the candidates for the purpose of admission in the said course whereas it should have been taken into consideration and the

petitioner should have been considered for admission on the basis thereof.

5. However, we do not find any force in the contention of learned counsel for the petitioner because admittedly, the entrance tests for many courses have been scrapped by several universities, including the respondent-University, in the wake of outbreak of Pandemic Covid-19 which is certainly an unprecedented and unusual situation and resultantly, the respondent-University has adopted a fresh admission criteria completely based on the merit of the Under Graduate/Post Graduate Courses qualified by the candidates but however, the petitioner has not been able to show as to how the said fresh criteria is against any legal provisions, rules or regulations and as to how the qualification higher than Post Graduation, i.e M.Phil. in Economics, is going to be of any extra benefit/weightage for the purpose of pursuing LL.B. 03 years course. To add to it, it is not the case of the petitioner that he has been discriminated in ignoring his M.Phil. degree while giving the benefit of such like qualification to some other candidate.

6. As a sequel to the fore-going discussion, it follows that this petition, being sans any merit, deserves dismissal. We order accordingly.

(DAYA CHAUDHARY)

JUDGE

(MEENAKSHI I. MEHTA)

JUDGE

19th November, 2020.
seema

Whether speaking/reasoned?	Yes/No
Whether Reportable?	Yes/No