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

+ **W.P.(C) 9635/2019**

SHASHWAT TYAGI

..... Petitioner

Through: Mr. Joy Basu, Senior Advocate with
Ms. Reena Choudhary, Mr. Rohan
Batra, Mr. Dhruv Sethi and
Mr. Kanak Bose, Advocates.

versus

UNIVERSITY OF DELHI

..... Respondent

Through: Mr. Mohinder JS Rupal with
Mr. Kousik Ghosh and Ms. Manisha
Relia, Advocates.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

% **23.01.2020**

1. The respondent/University of Delhi (in short "University") was directed to file an affidavit vide order dated 20.01.2020 as to whether or not another candidate by the name Ms. Ayushi had sought cancellation of her admission.

2. Although, an affidavit has not been filed by the University, Mr. Rupal says that the University's officials' have been able to trace out an e-mail dated 17.01.2020 sent by Ms. Ayushi wherein she has, while referring to an earlier e-mail dated 27.09.2019, reiterated the fact that she seeks cancellation of her admission qua the concerned programme (i.e. LLB programme) and refund of fees deposited by her.

3. Mr. Rupal further says that since Ms. Ayushi has not attended 1st semester classes, even otherwise, her admission is liable to be cancelled as per extant rules and regulations framed in that behalf by the University.

4. Given this position, it is clear that one seat is vacant, at the moment, in the EWS category.

4.1 The petitioner, admittedly, is an EWS category candidate.

4.2 If Ms. Ayushi's e-mail is taken into account, this position obtained as far as back on 27.09.2019.

5. It is not in dispute that the only reason the petitioner could not get admission up until now was on account of non-availability of any seat in the EWS category.

6. The petitioner's rank, admittedly, is 125 which is higher than that of Ms. Ayushi whose rank is 126.

7. Thus, having regard to these peculiar circumstances, Ms. Ayushi's seat, which has fallen vacant, will now be allocated to the petitioner.

8. The University will make suitable adjustments qua the petitioner so that his interests are not impacted on delayed admission.

9. It is made clear that this order will not form a precedent.

10. Needless to add, the petitioner will fulfil requisite formalities for being enrolled in the L.L.B. programme.

10.1 For this purpose, the petitioner will present himself before the Dean, Faculty of Law on 27.01.2020 at 11:00 AM.

11. The writ petition is disposed of in the aforesaid terms.
12. *Dasti* under signatures of the Court Master.

RAJIV SHAKDHER, J

JANUARY 23, 2020

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