

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

CWP-3801-2021 (O&M)
Date of decision:- 10.03.2021

Divya

...Petitioner (s)

Versus

Union of India and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE RAVI SHANKER JHA, CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Rakesh Sobti, Advocate,
for the petitioner.

Mr. Anil Chawla, Advocate,
for respondent No. 1 – UOI.

Mr. Vivek Singla, Advocate,
for respondents No. 2 and 3.

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

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RAVI SHANKER JHA, C.J. (ORAL)

This petition has been filed by the petitioner being aggrieved by letters dated 12.01.2021 (Annexure P-12) and 22.01.2021 (Annexure P-14) by which her provisional admission in the M.Sc. (Chemistry) course for the academic session 2020-2021 has been cancelled on account of the fact that she has failed to produce the supporting relevant documents to establish that she fulfills the necessary eligibility qualification.

Learned counsel for the petitioner submits that she has passed the Joint Admission Test for M.Sc. 2020 (in short JAM-2020) having secured 20.67 marks. He further submits that the petitioner has secured 57.9% marks in the eligibility qualifying examination of B.Sc. (Chemistry). He further submits that the authorities have rejected the claim of the petitioner on the ground that she does not fulfill the eligibility criteria relying simply upon the Centralized Counselling for M.Sc./M.Sc. (Tech.) Admissions in NITs and CFTIs, 2020 (in short CCMN-2020) brochure in contravention and in contradiction with minimum eligibility criteria prescribed for the JAM-2020 examination. He further submits that the authorities could not have done so as the eligibility criteria prescribed in the JAM-2020 examination prevails and has to be followed by them.

We have heard learned counsel for the petitioner and examined the relevant guidelines/brochure relating to admission as well as the impugned letters.

From a perusal thereof, it is apparent that apart from qualifying the JAM examination, a candidate has to secure more than 60% or 6.5 CGPA

on a 10 point scale in the under-graduate discipline for being eligible for admission to the M.Sc. (Chemistry) course. Concededly, the petitioner has secured only 57.9% marks in the B.Sc. (Chemistry) which is below 60% marks as prescribed in the rules. From a perusal of the impugned letters dated 12.01.2021 (Annexure P-12) and 22.01.2021 (Annexure P-14), it is evident that the authorities asked the petitioner to furnish the necessary certificates/documents of the B.Sc. (Chemistry) course indicating that she had obtained more than 60% marks and also gave her notice that in case she failed to do so, her provisional admission would be cancelled. It is further evident from the letter dated 22.01.2021 (Annexure P-14) that the petitioner's provisional admission has been cancelled by the authorities as she failed to produce the necessary certificates establishing her eligibility for admission to the M.Sc. (Chemistry) course. It is also evident that the petitioner prior to submitting for the selection process had submitted an undertaking in the prescribed form on 31.08.2020 to the effect that she had understood each and every requirement of the brochure and had further undertaken that if she was unable to qualify the minimum eligibility criteria for admission to the M.Sc./M.Sc. (Tech.) Programme, her provisional admission would stand cancelled and the admitting institution shall have no liability for the same. The said form has also been placed by the petitioner on record at page 117 of the petition.

In view of the aforesaid, it is apparent that the authorities have cancelled the petitioner's admission on account of the fact that she has failed to qualify for admission to the M.Sc. (Chemistry) course on account of having secured 57.9% marks in the B.Sc. (Chemistry) examination which is below the eligibility qualification prescribed by the authorities i.e. 60% marks in the B.Sc. (Chemistry) programme and as the petitioner has failed to qualify and does not possess the necessary eligibility qualification for admission to the M.Sc. (Chemistry) course, we do not find any fault with the action taken by the authorities in cancelling her provisional admission which is in accordance with the procedure prescribed by law and has rightly been adhered to by them.

The petition being meritless is accordingly dismissed.

(RAVI SHANKER JHA)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

10.03.2021

Amodh

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No