

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

LPA-43 of 2021

Date of decision: 18.01.2021

THE PRINCIPAL, SAINIK SCHOOL REWARI AND ORS

..APPELLANTS

Vs

HARSH YADAV

...RESPONDENT

(Heard through Video-Conferencing)

**CORAM: HON'BLE MS. JUSTICE NIRMALJIT KAUR
HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA**

Present: Mr. Parveen Chander Goyal, Advocate with
Ms. Aarti Goyal, Advocate,
for the appellants.

NIRMALJIT KAUR, J. (Oral)

The present appeal has been filed against the order dated 11.11.2020 vide which the writ petition was allowed directing the respondents to allow the petitioner to attend online tutorial, if any, with a further direction that the minor child shall be accommodated by creating a supernumerary vacancy in the current academic session.

The child was denied admission only on the ground that he sought admission under the 'Defence' category whereas, he did not belong to the said category. It was the stand of respondent No.3 that they applied for the correction of the category as soon as they realized their mistake. The appellants, however, did not carry out the correction on the ground that it was moved at a belated stage. Besides the fact that the appellant-School

gave illusive reply to the queries of the Court in spite of several opportunities, the learned Single Bench found the conduct of the appellant-school highly condemnable, the review petition too was dismissed vide order dated 18.12.2020 and costs too were imposed while dismissing the review petition.

Even today, the learned counsel for the appellant is not able to dispute that (a) the students are admitted even against the general category; (b) the respondent, herein got more marks than the last candidate admitted under the general category; (c) a seat is lying vacant under the general category. In spite of the same, appeal has been filed.

In view of the above, no ground is made out to interfere with the order dated 11.11.2020. While dismissing the present appeal, this Court restrained itself from imposing further costs.

Dismissed accordingly.

(NIRMALJIT KAUR)
JUDGE

(MEENAKSHI I. MEHTA)
JUDGE

18th January, 2021
geeta

<i>Whether speaking/reasoned?</i>	<i>Yes/No</i>
<i>Whether Reportable?</i>	<i>Yes/No</i>