

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

Sr. No.242

**Civil Writ Petition No.21801 of 2022
Date of Decision : November 15, 2022**

Yadav Garima

...Petitioner

Versus

Indira Gandhi University, Meerpur, Rewari and others

...Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. J.P. Sharma, Advocate, for the petitioner.

Mr. Sardavinder Goyal, Advocate
for respondents No.1 & 2.

Mr. Rajneesh Chadwal, AAG, Haryana,
for respondents No.3 & 4.

SUDHIR MITTAL, J. (ORAL)

Reply on behalf of respondents No.1 & 2 has been filed in Court. The same is taken on record. A copy thereof has been supplied to learned counsel for the petitioner.

2. Learned counsel for respondents No.1 & 2 submits that number of students studying in M.A. Political Science have been increased to 51 due to migration of the petitioner. Sanctioned seats for the said course is 50 only and thus, the petitioner cannot be permitted to continue. The College-respondent No.4 has admitted that the number of seats in the course are 50 only.

3. The petitioner was migrated vide order dated 11.02.2022. She deposited her fee on the same day and took admission in the College-respondent No.4 in the first year of M.A. Political Science. Since the

University was not issuing a roll number, the College wrote to the University vide its communication dated 28.02.2022 requesting issuance of roll number even though the number of seats had been exceeded. The University obliged. As a result, the petitioner has completed one year of the course but is not being permitted to attend classes for the second year.

4. Learned counsel for the University submits that the University is not in a position to increase the number of seats as the College-respondent No.4 is a Government College. The power is available with the Director-respondent No.3 and unless & until he exercises the said power, the petitioner cannot be permitted to take admission in the second year of the course.

5. The submission is not acceptable. The University has permitted the petitioner to complete the first year of the course despite knowing that her migration had resulted increase in number of seats. Having done so, it is estopped by its own conduct in not permitting the petitioner to attend the second year. The action is thus, illegal and is quashed.

6. The petitioner shall be permitted to attend the College-respondent No.4 w.e.f. tomorrow and the University is directed to issue her roll number to enable her to take the examinations.

7. Accordingly, the writ petition is allowed.

November 15, 2022

Ankur

**(SUDHIR MITTAL)
JUDGE**

Whether speaking/reasoned Yes

Whether Reportable Yes