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

Date of Decision:- 23.02.2022

+ **W.P.(C) 954/2022 & CM APPL. 2733/2022 (Interim Relief)**

RAHUL TIWARI Petitioner
Through **Mr. Umesh Sharma, Adv.**

versus

UNIVERSITY OF DELHI Respondent
Through **Mr. J. S. Rupal and Mr. Aakash Pathak, Advs.**

CORAM:
HON'BLE MS. JUSTICE REKHA PALLI

REKHA PALLI, J (ORAL)

1. The petitioner, a graduate from the Delhi University, has approached this Court with a grievance that, despite his having applied for admission in the LLB course offered by the respondent-University under the 'Ward' category (non-teaching) quota on 21.08.2021, his candidature has not been considered by the respondent for admission in the said category.
2. It is the petitioner's case that despite applying for admission under the 'Ward' category (non-teaching) quota and having secured the highest marks in the said quota, he is being denied admission on the sole ground that he had not uploaded the requisite certificate received from his father's



employer, to avail the benefits of the 'Ward' category (non-teaching) quota.

3. The petitioner claims that the relevant certificate could not be uploaded on the respondent's web portal only on account of a technical glitch in the website of the respondent. Soon after filling the application form on 21.08.2021, the petitioner's father made a representation dated 27.08.2021 to the Dean (Admission) of the respondent-University pointing out the problem in the web portal due to which the certificate could not be uploaded. However, no corrective action was taken in this regard by the respondent university and therefore the petitioner appeared in the entrance exam held on 29.09.2021 without his certificate being uploaded.

4. On 06.11.2021, when the petitioner's scorecard was issued by the National Testing Agency, he realized that he had secured the highest marks under the 'Ward' category (non-teaching) quota but being aware that the certificate from his father's employer had not been uploaded, he made yet another representation to the Dean (Admission) on 01.12.2021. This representation elicited no response and therefore the petitioner again submitted a representation on 30.12.2021. However, on 31.12.2021, the candidates under the 'Ward' category (non-teaching) quota were granted admissions by ignoring the claim of the petitioner. The petitioner then approached this Court on 14.01.2022.

5. Learned counsel for the petitioner submits that the petitioner, at the very outset had applied under the 'Ward' Category (non-teaching) quota and it is only on account of a technical glitch in the respondent's website that his certificate could not be uploaded on the web portal. He therefore contends that the petitioner cannot be penalized for the respondent's lapse



and therefore prays that the respondent be directed to grant admission to the petitioner under the 'Ward' category (non-teaching) quota.

6. The petition is vehemently opposed by the learned counsel for the respondent who submits that once the petitioner was aware that the necessary certificate was not uploaded till as late as 30.12.2021 and was also well aware that the admission under the said quota were to be completed on 31.12.2021, it was incumbent upon him to take requisite steps. Having failed to do so, he cannot now claim that he should be granted admission when all the seats under the said quota are already filled and that too without impleading the students who have already been granted admission. Moreover, the petitioner has, even with the present petition, failed to file the necessary certificate which he claims was issued in his father's favour on 01.12.2021. He, therefore, prays that the writ petition be dismissed.

7. Having considered the submissions of the learned counsel for the parties, I find that even though it emerges that the petitioner was *prima facie* eligible for seeking admission under the 'Ward' category (non-teaching) quota as his father is working as a Section Officer in the Hindu College, the fact remains that the petitioner's certificate was not uploaded till the admission process for filling of seats under the said quota was completed on 31.12.2021. There is no explanation as to why, despite the petitioner being aware of this position that his certificate had not been uploaded, did not take any steps to approach the Court before the results were declared on 06.11.2021 or atleast before 31.12.2021 when the admission list under the 'Ward' category (non-teaching) quota was issued. The petitioner is the son of an employee of the Delhi University who is well conversant with the mandatory procedure required to be followed and



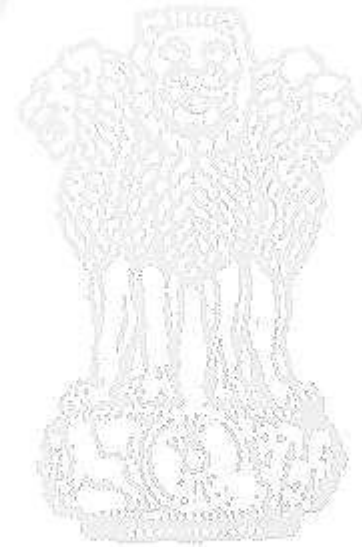
therefore there is no justification for not taking appropriate steps between 27.08.2021 to 31.12.2021. Even otherwise, the grant of any relief to the petitioner, who has treated the mandatory requirement of uploading the requisite certificate in the most casual manner, would be at the cost of the students who have already been admitted but are not before this Court. The petitioner can, therefore regrettably not be granted any relief at this belated stage.

8. The writ petition, is accordingly dismissed.

REKHA PALLI, J

FEBRUARY 23, 2022

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