

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No. 15131 of 2023 (O&M)
Date of Decision: 20.07.2023

Guru Nanak Khalsa College for Women, Model Town, Ludhiana
.....Petitioner

versus

State of Punjab and othersRespondents

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

Present : Mr. R.Kartikeya, Advocate with
Ms. Ridhi Bansal, Advocate,
Ms. Sidhi Bansal, Advocate and
Ms. R.Akanksha, Advocate, for the petitioner.

Mr. Arjun Sheoran, Deputy Advocate General, Punjab.

Mr. Akshay Kumar Goel, Advocate, for respondent No.3-
Panjab University.

RAVI SHANKER JHA, CHIEF JUSTICE (oral)

This petition has been filed by the petitioner Guru Nanak Khalsa College For Women being aggrieved by the order dated 06.12.2022 praying for the following relief:-

Civil Writ Petition under Articles 226/227 of the Constitution of India for issuance of writ in the nature of certiorari or any other appropriate writ, direction or order, quashing the impugned speaking order dated 06.12.2022 (Annexure P-10) and the action of the State Government in holding the online admission through Centralized Admission Portal and through an admission schedule, different from the one notified by the affiliated University AND

For issuance of a writ in the nature of mandamus or any other appropriate writ, direction or order, directing respondents to permit the petitioner to admit the students in

terms of the mandate of the affiliating University, in terms of the resolution of the Syndicate of the Panjab University, in its meeting dated 25.03.2023 (Annexure P-13).

2. Learned counsel for the petitioner submits that in the instant case, the respondent-State of Punjab has passed two orders dated 26.05.2023 and 16.06.2023 directing all the Government and Private aided/unaided Colleges in the State of Punjab to make admissions through Centralized Admission Portal. It is stated that though such orders have been passed by the respondent-State Authorities, the Senate of respondent No.3-Panjab University has taken a decision prior to issuance of these orders not to adopt such process for making admissions through Centralized Admission Portal i.e. online process as directed by the State Government.

3. Learned counsel for the petitioner further submits that the petitioner college is affiliated to the Panjab University-respondent No.3 and this college is now at the stage where it is difficult for it to decide as to which order or direction is to be followed i.e. the order issued by the State Government and/or the decision taken by the Senate of Panjab University.

4. Evidently, this issue needs to be resolved by the authorities of the State of Punjab as well as the Panjab University. In such circumstances, when confronted with the aforesaid aspect, learned counsel for the petitioner submits that the petitioner college would submit detailed representations to both i.e. Principal Secretary, Department of Higher Education, Government of Punjab as well as to the authorities of Panjab University, Chandigarh and therefore, they both may be directed to consider and take a decision thereon.

5. Learned Deputy Advocate General appearing for the respondent-State of Punjab, on instructions from Mr. Ashwani Bhalla, Deputy Director, Department of Higher Education and Mr. Harpreet Singh,

Senior Assistant, submits that in case such a representation is moved by the petitioner-college, the same would be considered and decided by the Principal Secretary, Department of Higher Education, Government of Punjab by passing a speaking detailed order. He further submits that looking to the situation, the respondent-authorities would take an appropriate decision regarding extending the last date for making the admissions.

6. Learned counsel appearing for the respondent No.3-Panjab University, on advance copy, submits that the authorities of respondent No.3-Panjab University and the Principal Secretary, Department of Higher Education, Government of Punjab will conjointly resolve the issues and consider the representations to be filed by the petitioner college.

7. In view of the aforesaid statements made by learned counsel for the parties and taking the same on record, the petition stands disposed of with a direction that in case the petitioner files such representations before the respondent-authorities, the Principal Secretary, Department of Higher Education, Government of Punjab and the authorities of Panjab University-respondent No.3 would sit together on 26.07.2023 and after affording an opportunity of hearing jointly consider the said representations filed by the petitioner college and thereafter take a decision thereon in accordance with law by passing a speaking detailed order.

(RAVI SHANKER JHA)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

20.07.2023
ravinder

Whetherspeaking/reasoned	√Yes/No
Whetherreportable	Yes/No√