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

% Date of decision: 01.09.2023
W.P.(C) 9629/2023

+ W.P.(C) 9629/2023 & CM APPL. 36901/2023

ASHISH RANJAN Petitioner

versus

UNION OF INDIA & ORS. Respondents

Advocates who appeared in this case:

For the Petitioner: Mr. Ashutosh Kaushik and Mr. Chirantan Saha,
Advocates.

For the Respondents: Mr. Neeraj SPC with Mr. Vedansh Anand and Mr.
Sahaj Garg, Advocates.
Cdr T Jayanth Kumar and Cdr Srihari Patil.

CORAM:-

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

HON'BLE MR. JUSTICE MANOJ JAIN

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner was selected to join National Defence Academy for training to be an officer in the Indian Navy. Petitioner commenced the four year B-tech degree course in the Indian Naval Academy. Three years out of four of the said course were undertaken at the National Defence Academy and the fourth year was to be undertaken in the Indian Naval Academy which *inter alia* entails serving on high sea.

2. After completion of three years, it was diagnosed that petitioner suffers from Beta Thalassaemia Minor which is a disqualification for commissioning in the Indian Navy. Consequently, petitioner was



informed that he would not be entitled to commission in the Indian Navy.

3. Petitioner represented to respondent and respondents stated that they have arrangement with two institutes i.e. Manipal Institute of Technology and Andhra University, wherein, lateral entry is contemplated in respect of individuals who are subsequently found to be medically unfit for commissioning to complete their study.

4. Pursuant thereto, response was called from the Manipal Institute of Technology as well as the Andhra University by the Indian Naval Academy. The Manipal Institute of Technology being a private institute stated that they shall be charging the regular fee and also admitting petitioner in the fifth semester i.e. third year.

5. Learned counsel for the petitioner under instructions submitted that petitioner would not be in a position to afford the fee structure proposed by the Manipal Institute of Technology and also that petitioner would be required to undergo third year again and as such he was not in a position to join Manipal Institute of Technology.

6. Respondent Indian Naval Academy has placed on record a communication dated 28.08.2023 wherein, they have stated that Andhra University was contacted and the Dean of Defence Studies has confirmed the following:

“(I) The request of Ex-Cdt Ashish Ranjan’s lateral entry has already been approved.

(ii) His tuition fee would be rupees one lakh and fifty thousand approximately.

(iii) His stream would be electronics and communication



engineering.

(iv) He would be admitted in semester VII but would be required to clear additional papers. If any, which were not covered till term VI at NDA.”

7. Learned counsel for the petitioner submits that since Andhra University is a Government University and the tuition fee proposed is affordable by the petitioner and also that petitioner is being given admission in semester-VII. He is willing to take lateral admission in the Andhra University in the B-tech course so that he can complete his education.

8. Learned counsel for petitioner submits that petitioner shall be approaching the Andhra University for the admission in terms of communication within two weeks from today.

9. In view of the above, the petition is disposed of directing the respondents to ensure that petitioner is granted lateral entry in the B-tech course in the Andhra University in terms of the communication dated 28.08.2023 as reproduced hereinabove.

10. The petition is accordingly, disposed of in the above terms.

11. Order *dasti* under the signatures of Court Master.

SANJEEV SACHDEVA, J

MANOJ JAIN, J

September 1, 2023/sw