

September 3, 2024
AD 6
Ct. 17
SG

WPA 20004 of 2024

Shubham Prasad
vs.
The Indian Statistical Institute

Ms. Nikita Khaitan
... for the petitioner.

Ms. Sayani Roy Chowdhury
... for the respondent.

Copy of an email communication dated 29.08.2024, as filed on behalf of the respondent the Indian Statistical Institute, is taken on record.

Upon instructions, learned counsel for the respondent the Indian Statistical Institute submits that after the third round of admission to the PGDSMA programme, a GEN candidate declined the offer and the next OBC-NCL candidate who had been offered and had accepted was upgraded to the GEN category as per rule. Consequently, it was found that one OBC-NCL seat remained unfilled. In the absence of any other OBC-NCL candidate in the waiting list, the seat would be construed as an unfilled GEN seat as per admission policy of the Institute. This seat may be filled up through spot admission. The Institute may offer the next candidate from the PGDSMA waiting list at the north-east centre of the Institute to fill up the vacancy. It is found that the petitioner is the next candidate in the waiting list. If this

Court permitted, the seat could be offered to the petitioner.

Learned counsel for the petitioner submits that if the ISI offers the seat to the petitioner, his grievance would be redressed.

It appears that during pendency of the proceeding, a seat has fallen vacant and the petitioner is entitled to be offered such seat according to the policy of the Institute.

In view of the above, the writ petition is disposed of by granting permission to the respondent Indian Statistical Institute to offer the seat in question to the petitioner and to take further steps in this regard in accordance with law.

Parties shall act on server copy of this order duly downloaded from the official website of this Court.

[Jay Sengupta, J.]