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

+ **W.P.(C) 15706/2024**

VATSAL GOSWAMI

.....Petitioner

Through: Mr. Ajai Kumar Srivastava, Mr.
Shashank Rai and Mr. Om Prakash
Sapra, Advs. with petitioner in-
person.

versus

DELHI UNIVERSITY THROUGH ITS DEAN, ADMISSIONS

.....Respondent

Through: Mr. Mohinder J.S. Rupal, Adv.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV

ORDER

27.11.2024

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1. The petitioner has filed the present writ petition before this Court under Article 226 of the Constitution of India seeking directions to the respondent to grant admission to the petitioner against the vacant seat lying in either course of M.Sc. Operational Research or M.Sc. Statistics, adhering to the Univerisity Grants Commission [“UGC”] guidelines.

2. The facts, as can be seen from the writ petition, would indicate that the petitioner is a graduate of B.Sc. Statistics, Mathematics and Computer Science from Punjabi University Patiala and was an aspirant of postgraduate courses of M.Sc. Operational Research and M.Sc. Statistics in respondent-University. On 25.04.2024, the respondent-University invited online



applications for admissions in postgraduate courses at Delhi University and the petitioner appears to have registered his profile at the PG admission portal for completing the admission form.

3. Learned counsel appearing for the petitioner submits that on 07.06.2024, the UGC issued directions relaxing the Common University Entrance Test- Post Graduation (CUET) exam wherein all the Universities were directed to fill the seats that remained vacant after multiple rounds of counseling by admitting those candidates who have not registered/appeared in the CUET exam to ensure that no seat remains vacant for the entire year. Learned counsel appearing for the petitioner, then, contends that on account of some genuine difficulty, the petitioner could not appear in the CUET examination. It is further contended that according to the information furnished to him under the RTI, he has come to know that despite the SPOT round being conducted by the University, some seats remained vacant and, therefore, as per the UGC Guidelines, the petitioner was entitled to admission. Learned counsel, then, contends that the respondent-University has not adhered to the UGC guidelines, and the petitioner's right to get admission to the respondent-University has been violated.

4. Learned counsel emphasized that as per the UGC guidelines, it was incumbent upon the respondent-University to allow the admissions on the basis of standard operating procedure either by conducting separate entrance examinations at its own level or by conducting screening tests. Moreover, the respondent-University was also required to admit the students on the basis of marks obtained in the qualifying examination.

5. On notice being issued, the respondent-University has placed on record its counter affidavit. A perusal of the counter affidavit would indicate



that the respondent-University has taken a position that all vacant seats were filled up in SPOT round 4 which was conducted in August 2024 and, therefore, the UGC guidelines would have no application under the facts of the present case.

6. Learned counsel submits that the respondent-University has granted admission only on the basis of the CUET examination and as per their record, no such situation has arisen where a meritorious candidates of the CUET merit list were not available to occupy the seats. He, then, explains that for admission in aforementioned courses, the University has received 1038 CUET applications against the sanctioned strength of 116, and 861 CUET applicants have applied for Master of Operation Research on the sanctioned strength of 175.

7. I have considered the aforesaid submission and have also perused the record.

8. A perusal of the UGC guidelines would indicate that the UGC emphasizes Universities to ensure that the seats should not remain vacant and in case, the list of CUET meritorious candidates is exhausted, the University may evolve a mechanism to admit the students on the basis of its own entrance examination or on the basis of screening test including admission on the basis of qualifying examination marks. It is, thus, seen that the primary objective of the UGC guidelines is to ensure that no seat should remain vacant. When Delhi University has taken a categorical stand that for the academic year 2024-25 against the courses in question, there was no vacant seat as of 25.08.2024, there is no reason, at this stage, to direct the respondent-University to apply the UGC guidelines for filling up vacant seats.



9. As far as the contention regarding the position of vacant seats pursuant to a subsequent RTI , is concerned, the same cannot be looked into at this stage, for the very reason that after the grant of admissions against the sanctioned strength, some of the candidates might have vacated their seats for various reasons. Any seats subsequently falling vacant cannot be the sole reason to grant mid-term admission. Such recourse, only on the pretext of the subsequent vacant seats, would tantamount to an endless exercise and opening a pandora's box thereby, creating various anomalies in the entire admission process.

10. Nevertheless, there is no rejoinder filed by the petitioner controverting the stand taken by the respondent in the counter affidavit.

11. In view of the aforesaid, the Court is not inclined to interfere with the admission process or accede to the prayer sought in the instant case.

12. Accordingly, the petition fails and stands disposed of.

PURUSHAINDRA KUMAR KAURAV, J

NOVEMBER 27, 2024/p