



**106 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP-30385-2025

Date of Decision: 30.10.2025

SHAHI SPORTS COLLEGE OF PHYSICAL EDUCATION

....PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

....RESPONDENTS

**CORAM:- HON'BLE MR. JUSTICE ASHWANI KUMAR MISHRA
HON'BLE MR. JUSTICE ROHIT KAPOOR**

Present: Mr. Sameer Sachdeva, Advocate
for the petitioner.

Mr. Maninder Singh, Add. Advocate General, Punjab with
Mr. Rajeev Madaan, DAG, Punjab.

Mr. Karan S. Gill, Standing Counsel
for respondent No.3-NCTE.

ASHWANI KUMAR MISHRA, J. (ORAL)

1. This petition has been filed with a prayer to set aside the Notification dated 16.06.2025, whereby, the admission to Diploma in Physical Education ("D.P.Ed.") Course 2025-2027 in the Education Institutions established in State of Punjab has been restricted to those who have qualified the Entrance Test conducted by the State Council of Education Research and Training, Punjab ("SCERT").

2. At the outset, we may note that with a similar grievance, earlier writ petition was filed before this Court by St. Soldier College of Physical Education being CWP-25694-2025 which came to be disposed of *vide* following orders passed on 16.09.2025:-

"1. Following order was passed on 09.09.2025:-

"1. Reply by way of an affidavit dated 08.09.2025 has been filed on behalf of the respondent-State in the Court today, the same is taken on record. The Registry is directed to tag the same at an appropriate place in the case file.

2. Having heard learned counsel for the petitioner and learned Advocate General, Punjab, we find that the undisputed scenario is such that almost 200 seats would be left vacant either in the Private Colleges or in the State Colleges. This is so as only 354 students have passed the entrance test whereas there are 550 seats available in different Colleges.

3. So far as the admission process is concerned, the State Government has framed its Policy dated 27.07.2017, as per which, 40% seats in the management quota is allowed to be filled by the Institutes through an appropriate, transparent and fair system, duly approved by the SCERT, Punjab in advance.

4. In the facts of the case, we are of the view that the State of Punjab would be well advised to examine the scenario as it exists today, and take such appropriate steps, as may be warranted in law, to ensure that the remaining 200 seats available in the Colleges are also filled with persons, who possess requisite eligibility and by following a transparent process of admission.

5. Clause 3.3 of the NCTE Guidelines also provides for admission to be made on the basis of the entrance examination or any other selection process, as per the Policy of the State Government. The State Government, therefore, is conceded the jurisdiction to deal with the situation as it has arisen in the facts of this case.

6. The petitioner's contention that in the previous years, they were permitted to admit students on the strength of their own admission, would also be an aspect open for examination by the State.

7. We adjourn this matter once again to 16.09.2025, by when an appropriate decision would be taken by the State of Punjab and the same shall be placed before the Court.

2. The State has filed an affidavit in Court today. The

same is taken on record. The relevant extract of the affidavit reads as under:-

"6. That taking into account the above situation and in accordance with Clause 4.0 of the said Guidelines, the respondent department has decided to permit private self- financed D.P.Ed. colleges to fill up to 40% of their approved intake under the Management Quota, through a fair, transparent and merit-based process, subject to oversight by the Department. Formal approval in this regard would be issued vide office letter dated 11.09.2025. All concerned institutions have been directed to submit the list of admitted candidates under the Management Quota by 19.09.2025. A letter dated 11.09.2025, is appended as Annexure R-5/T.

7. That it is further submitted that in order to ensure that no seat is wasted and to optimize the utilization of available capacity for the D.P.Ed. course, the respondent-State can initiate a supplementary round of admissions. This new process will involve inviting fresh applications from all eligible who meet the eligibility criteria. The aim is to provide a fair and transparent opportunity for prospective students who may have missed earlier rounds, thereby maximizing seat utilization without compromising on merit or quality standards. This process, if undertake, shall strictly adhere to the eligibility norms prescribed under the NCTE Regulations, 2014, and the existing state policy and shall be conducted in a transparent and merit- based manner without compromising on academic standards.

8. That the department has taken all necessary and appropriate steps, as warranted in law and policy to address the current situation in a fair and transparent manner and to ensure that the remaining vacant seats are filled with candidates who are eligible and competent, without compromising on quality or norms."

3. In view of the stand taken by the respondents in the affidavit (supra), we are of the view that this petition can conveniently be disposed of with the observation that the

petitioner-college shall be at liberty to fill-up the management quota seats from the existing list and if vacancies still remain with the college, the college shall be at liberty to inform the State Government about it and appropriate decision in respect thereto would be taken by the State to ensure that left over seats are filled-up by granting admission to eligible candidates from the available list, in a transparent and fair manner.

4. What exactly would be the mechanism to be followed for such purpose, the same is left to be determined by the State. However, we clarify that State would make all endeavours as would be necessary to ensure that all available seats are filled.

5. All pending misc. application(s), if any, also stand disposed of.”

3. It is thereafter that the present petition has been filed contending that despite fresh endeavours made by the State of Punjab, almost 260 seats have remained unfilled throughout the State and in such circumstances, the petitioner be permitted to undertake admission at its own level so that remaining seats be filled.

4. Learned counsel for the petitioner has invited our attention to two circulars issued by the SCERT dated 14.02.2022 and 20.01.2023 in order to submit that the management college seats were permitted to be filled by the Education Institutions on its own in the past and that a similar practice if is allowed to be followed in the present Academic Session also then the remaining seats would get filled. He further contends that there are large number of students available but as centralized test is being conducted at Sangrur, as such, most of the students, including girl students, are not willing to travel to Sangrur. He

further urged that no written test is, otherwise, conducted and only a 35 second Physical Efficiency Test (“PET”) forms the basis of admission and therefore there would be no difficulty if admission is allowed to be conducted at the level of the College itself.

5. Learned Additional Advocate General for the State of Punjab has opposed the prayer made in the writ petition on the ground that pursuant to order passed by this Court on 16.09.2025, the Director, SCERT, Punjab published notice in various newspapers dated 10.10.2025 inviting application(s) from intending students by getting themselves registered between 13.10.2025 to 17.10.2025. A PET was then conducted on 23.10.2025. A list has been produced before the Court according to which around 132 students from the State got registered and ultimately 99 students have passed the PET. Learned State counsel further submits that all General Category seats have been filled. It is also submitted that students available with the petitioner are actually from other States who cannot be considered against reserved seats which are available only to residents of the State of Punjab.

6. Admission to the D.P.Ed. Course is regulated by the National Council for Teachers Education (“NCTE”). The admission procedure for the Course has been specified by the NCTE, which is as under:-

“3.3 Admission Procedure:- Admission shall be made on merit on the basis of marks obtained in the entrance examination (sports proficiency test, physical fitness test, and marks obtained in qualifying examination) or by any other selection process as per the policy of the State Government.”

7. In terms of the NCTE Regulations, admission policy has been published by the Director, SCERT, Punjab dated 16.06.2025 as per which the criteria for admission is possessing of minimum educational qualification and passing of PET. Although, the Circular dated 16.06.2025 refers to a written test also but no such written test has actually been conducted. The marks for sports activity are also not awarded. Admission, therefore, is based upon possessing of minimum educational qualification as well as passing the PET. As per the prescribed procedure, admission process is to be undertaken by the SCERT. The respondent-SCERT has undertaken the admission procedure pursuant to Notification dated 16.06.2025 and in terms of the observations made earlier by this Court, the process was again initiated pursuant to the publication made by the Director SCERT, Punjab on 10.10.2025.

8. A statement is made before the Court on behalf of the State, on the basis of instructions received from the Officers present in Court, that all General Category seats have been filled.

9. Learned counsel for the petitioner submits that no prejudice would be caused, if the College is allowed to conduct admission at its own level as this would facilitate filling-up of the balance seats.

10. Though, the submission advanced by the learned counsel for the petitioner appears to be attractive but we are not inclined to accept it as the process of admission once has been specified by the State of Punjab and such process is being uniformly followed, we see no reason why a departure be directed to be made in it. The admission process has

been undertaken once. After it was noticed that large number of seats have remained vacant, the State of Punjab has published fresh notice for admission to D.P.Ed. Course on 10.10.2025. Adequate opportunity to all the applicants, therefore, has been given for appearing in the admission process. All General Category seats have already been filled up. It is at the instance of the private management that a prayer is made to relax the admission process.

11. Though, various submissions are advanced with regard to availability of eligible candidate(s) for admission but without entering into all such factual issues, we decline to interfere in the matter as we find that no eligible student has otherwise come forward raising a grievance that he has not been able to apply for admission. Once the Director, SCERT, Punjab has conducted a transparent process in which repeated opportunity is extended to the students for availing of admission, it would not be appropriate for this Court to direct departure from the stated policy only because certain reserved seats have remained vacant.

12. We otherwise find that the process of admission through a centralized counselling conducted by SCERT is a fair process and merely because the petitioner-College is at a distance of 70-80 Kms from the State where admission test is held, can hardly be a ground to hold the process of admission to be suffering from any infirmity.

13. In that view of the matter, the present writ petition is ***dismissed.***

14. It is made clear that refusal by this Court to interfere with the admission process would not preclude the petitioner from filling-up the

seats from the list of 126 students which are made available by the State of Punjab.

[ASHWANI KUMAR MISHRA]
JUDGE

[ROHIT KAPOOR]
JUDGE

OCTOBER 30, 2025
Rahul Joshi

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| 1. Whether Speaking/reasoned | Yes/No |
| 2. Whether Reportable | Yes/No |