

(2016) 10 DEL CK 0109

In the Delhi High Court

Case No : Writ Petition (C) No. 9135 of 2016.

Bhim Shankar Thakur - Petitioner @HASH Delhi University And Another

Date of Decision : 05-10-2016

Acts Referred:

Constitution of India, 1950 — Article 226

Citation : (2016) 4 RSJ 470

Hon'ble Judges : Sanjeev Sachdeva, J.

Bench : Single Bench

Advocate : Mr. Barun Kumar Sinha and Ms. Pratibha Sinha, Advocates, for the Petitioner; Ms J.S. Rupal and Ms. Simran Jeet for Delhi University, Advocates, for the Respondent

Final Decision : Dismissed

Judgement

Sanjeev Sachdeva, J. (Oral)—The petitioner seeks a mandamus directing the respondents to take on record his degree certificate and to grant him admission in the LL.B. Course commencing from the Academic Session 2016-2017.

2. It is contended that the petitioner had appeared in the entrance examination and secured rank 767 in the OBC category. The petitioner was, as per his rank, called for counselling on 22.08.2016 on which date, the petitioner could not submit the original degree as was required by the University.

3. The petitioner had passed the qualifying examination in the year 2012. However, the petitioner had not collected the degree from the University.

4. The petitioner, on 08.09.2016, collected the degree from the concerned University - Chaudhary Charan Singh University, Meerut, and approached the respondent - Delhi University for submitting the same. The Delhi University did not accept the said degree.

5. Learned counsel for the petitioner further contends that the petitioner is not in a position to produce any proof that the degree had not been issued by the University till the date of counselling.

6. It is contended that the petitioner, in accordance with his ranking, should be granted admission.

7. In identical circumstances, by judgment dated 04.10.2016, in W.P.(C) No. 8905/2016 titled Rahul Kumar Singh v. University of Delhi & Ors., I have held that Degree not collected cannot be equated with Degree not issued. It has also been held that it is mandatory for the candidates to report with the documents in original at the specified date and time for counselling failing which they will forfeit their claim for admission.

8. The ratio of the said judgment in Rahul Kumar Singh (supra) is squarely applicable in the facts of the present case.

9. Since the petitioner failed to appear for counselling in terms of the notification with the original documents, the action of the respondent ? University in denying the admission to the petitioner and not entertaining the Degree produced at a subsequent date cannot be faulted.

10. In view of the above, I find no merit in the petition. The same is hereby dismissed.