
(2010) 12 P&H CK 0084
In the Punjab And Haryana At Chandigarh
Case No : Civil Writ Petition No. 20428 of 2010

Kritika Kamboj

APPELLANT

Vs

Vice Chancellor, Kurukshetra University and Others

RESPONDENT

Date of Decision : 09-12-2010

Acts Referred:

Citation : (2010) 12 P&H CK 0084

Hon'ble Judges : Ranjit Singh, J

Bench : Single Bench

Final Decision : Dismissed

Judgement

Ranjit Singh, J.—The Petitioner appeared in All India Senior Secondary Certificate Examination conducted by CBSE in the year 2008. She, however, could not pass the same and ultimately has now cleared the examination of 10+2 on 31.07.2010.

2. The Petitioner had got admission with Respondent No. 3/College in B. Com-I for which she commenced studies in the year 2008-09. The Petitioner claims to have cleared B. Com-I examination by securing 349 marks. Mark-sheet, however, was not issued to the Petitioner. As per the stand of the University, the result was never declared because of infirmity that the Petitioner could not clear the examination of 10+2 class passing of which was essential for admission to B. Com-1. The Petitioner, however, continued with the studies and deposited the fee for B. Com-II and further joined the classes in B. Com-III as well. The Petitioner had obtained the result of B. Com-II from the Internet though the said result was also not declared. She claims to have got compartment in the said examination. The Petitioner has now approached this Court seeking direction for the Respondents to declare the result, which according to her, is being withheld without any justifiable reasons.

3. Reply on behalf of the University has been filed. It is stated that the Petitioner was provisionally admitted in B. Com-I subject to the condition that she would

clear the examination of 10+2, which she could do only in July, 2010. Accordingly, no result of the Petitioner has been declared. It is stated that the Petitioner was not eligible to get admission and so was provisionally admitted in terms of the ordinance of the University. She, however, was required to clear compartment examination in two consecutive chances, which she failed. The provisional admission granted to the Petitioner has been cancelled from the very ab-initio. In the reply, it is stated that the Petitioner has never been registered as a student of the University and that the result of B. Com-I or other classes were never declared.

4. Concededly the Petitioner has cleared the 10+2 examination now. As such she was not eligible to take admission in B. Com. Her admission was provisional which has been cancelled. Even if the Petitioner had studied the classes and appeared in examination on account of her provisional admission, she cannot be allowed to complete the studies because of lack of her eligibility for the admission. The action of the University in canceling the admission is justified. No cause is made out for interference in the writ petition.

5. The writ petition is, accordingly, dismissed. Liberty is given to the Petitioner to seek fresh admission in the College on the basis of her examination passed.