

(2010) 12 UK CK 0196
In the Uttarakhand High Court
Case No : Writ Petition No. 2177 of 2010

Laxman Singh Bohra and Another

APPELLANT

Vs

H.N.B. Garhwal University and Another

RESPONDENT

Date of Decision : 23-12-2010

Acts Referred:

Citation : (2010) 12 UK CK 0196

Hon'ble Judges : Brahma Singh Verma, J

Bench : Single Bench

Final Decision : Dismissed

Judgement

B.S. Verma, J.—Heard learned Counsel for the parties and perused the record.

2. By means of this writ petition, the Petitioners have sought a writ in the nature of mandamus directing the Respondents to allow the Petitioners for admission in B. Ed. course 2009-10 keeping the norms of N.C.T.E.

3. According to the Petitioners, they are graduate and they intend to seek admission B. Ed. course 2009-10 in any college recognized by the National Council for Teachers Education and affiliated to the Respondent No. 1-University. The Petitioners possess minimum percentage of 50% marks in the graduation examination, which is the eligibility criteria for admission to B. Ed. course.

4. The grievance of the Petitioners is that they approached the Respondents for admission, but they have been denied admission despite the fact that about 50 sheets are still vacant for admission to B. Ed. Course.

5. In the course of arguments, learned Counsel for the University has raised a preliminary objection that the Petitioners have not appeared in the entrance examination for B. Ed. course, conducted by the University, therefore, the writ petition is not maintainable.

6. The argument of the learned Counsel for the Petitioners that no entrance examination is required for B. Ed. course is not acceptable, particularly because

they have not challenged the entrance examination in this writ petition, which was conducted by the University for the said purpose. Since the Petitioners have not appeared in the entrance examination for B. Ed. course, which was undisputedly conducted by the University concerned and have not passed the entrance examination, therefore, no mandamus can be issued in favour of the Petitioners in the instant writ petition. The writ petition is liable to be dismissed outright at the admission stage.

7. The writ petition is dismissed summarily.