

(1991) 10 P&H CK 0006
In the Punjab And Haryana At Chandigarh
Case No : Civil Writ Petition No. 10758 of 1991

Nischal Gupta

APPELLANT

Vs

Union Territory and Others

RESPONDENT

Date of Decision : 08-10-1991

Acts Referred:

Citation : (1992) 2 ILR (P&H) 475

Hon'ble Judges : R.S. Mongia, J

Bench : Single Bench

Advocate : P.S. Patwalia, for the Appellant; Ashok Aggarwal and G.S. Sandhawalia, for the Respondent

Final Decision : Dismissed

Judgement

R.S. Mongia, J.—In this writ petition, the Petitioner is a sportsman and has excelled himself in the sport of Shooting. There are certain seats reserved for sportsmen in the Punjab Engineering College, Chandigarh and the Petitioner is staking his claim in the reserved category of sportsmen.

2. While reserving the seats for the sportsmen, the College Authorities on the basis of the instructions issued by the U.T. Administration, which runs the College, certain sports disciplines have been mentioned and the sportsmen who have excelled themselves only in those sports disciplines are to be considered for admission against the reserved seats in that category. The game of Shooting has not been included by the Respondent-College. The grievance of the Petitioner is that as far as the game of Shooting is concerned that was being included in the sports category during the previous years and according to the learned Counsel for the Petitioner there are no justifiable reasons to exclude this sport this year. learned Counsel further submitted that according to the prospectus it had been mentioned that achievements in sports in the previous three years shall be reckoned for purpose of admission, and that being so atleast three years notice should have been given prior to excluding this game so that the sportsman like the Petitioner could switch over to some other game and seek admission in the

reserved quota for sportsmen.

3. The Punjab Engineering College, Chandigarh is affiliated to the Punjab University. A decision was taken by the Chandigarh Administration that they should follow the pattern as is being followed in the Punjab University for its Departments for the purpose of admission of the candidates belonging to sports category. The game of shooting has not been included by the Punjab University for admitting the students in the sports category in the Punjab University departments. It may be observed here that as far as the game of shooting is concerned, the same was deleted from the sports calendar by the Association of Indian Universities in its Sports Committee Meeting held on 4th April, 1986 and subsequently the Punjab University deleted this game from its sports calendar also. The reasons given by the Sports Committee of Association of Indian Universities was that in view of the difficulties in the availability of ranges, transportation of arms and ammunition to the venue of tournament, it had been decided to discontinue the Inter University Shooting Tournament, both Men and Women. It is, no doubt, that in the previous years, the game of shooting had been included by the Punjab Engineering College for admitting the students in the sports category but that would not give any right to a sportsman to ask the authorities that a particular game once included must continue for all times to come. According to me, the reason given by the Respondents that they would follow the pattern regarding admission as that of Punjab University, to which the College is affiliated is a justifiable reason. I find nothing wrong in this reason for deleting the sport of shooting from the sports disciplines which are to be considered for the purpose of admission in the sports category.

4. The game of Boxing which was earlier there for admission to the Departments of the Punjab University was excluded for the Session 1989-90. This was challenged in this Court in C.W.P. No. 9958 of 1990, which was dismissed on September 17, 1989. Learned Single Judge observed as under:

Moreover, if the game of Boxing was excluded in the present prospectus no grievance can be made by the Petitioner claiming reservation on that basis because it is not one's right to claim that a particular game be included in the list provided in the prospectus. It is for the Department concerned to provide such a list of games.

It was also observed by the learned Judge that valid reasons had also been given for excluding the sport of Boxing. As observed by me above, the Petitioner has no right to say that a particular game must continue for all times to come and that valid reasons have been given by the Chandigarh Administration to exclude the game of Shooting.

5. I also do not find any force in the contention of learned Counsel for the Petitioner that since the achievement of the previous three years in the various disciplines of sports is to be taken into consideration at least three years notice should have been given so that if a particular sportsman wanted to shift, he

could shift over to some other sport. According to the prospectus, three years achievements are to be taken into consideration only in the sports mentioned in the Prospectus, Once it is held that a particular game can be excluded for valid reasons, the question of any notice being given to sportsman on any count does not arise, as there is no right with the sportsman to say that once a game is included, it cannot be excluded.

6. For the foregoing reasons, I find no merit in this writ petition, which is hereby dismissed. However, there will be no order as to costs.