
(2021) 02 SHI CK 0295
In the High Court Of Himachal Pradesh
Case No : COPC No.26 Of 2021

Sakshi Chauhan & Anr

APPELLANT

Vs

Prashant Sirkek

RESPONDENT

Date of Decision : 26-02-2021

Acts Referred:

Citation : (2021) 02 SHI CK 0295

Hon'ble Judges : Jyotsna Rewal Dua, J

Bench : Single Bench

Advocate : Surender K. Sharma, Avinash Jaryal

Final Decision : Disposed Of

Judgement

Jyotsna Rewal Dua, J

1. This contempt petition arises out of order dated 27.1.2021 passed in CWP No. 369 of 2021. The order reads as under:-

â??I have seen the contents of the petition and have also gone through the reply filed by the Respondent-University, especially, preliminary

objection, vide para-3. This matter needs a detailed adjudication, therefore, in the interim, the respondent-University shall permit the

petitioner to participate in the counselling. However, it is clarified that the participation is not an expression on merits and it shall not

bestow any right to the petitioner and the same shall be subject to the final outcome of the writ petition.

List this matter on 23.2.2021 before appropriate Division Bench.â??

2. Learned Counsel for the petitioner submitted that at the time of filing of the contempt petition the petitioners were not aware as to whether their

names had been considered in the Counselling which was held online by the

respondent.

In reply filed to the contempt petition by the respondent it has been submitted that the petitioners were considered for participation in the 3rd round of counseling in Master's Programme of University. However, they could not compete to find their names in the selection list of 3rd round for normal seats as per the selection criteria as per University prospectus. However, petitioner No. 1 who had also applied for self-financing seat was considered for the same. As per merit and her preference order, one seat in the discipline of Environmental Management has been kept reserved subject to the final outcome of the CWP No. 369 of 2021. The relevant portion of the reply reads as under:

2. That the contents of this para it is submitted that in compliance of order passed on 27.1.2021 by the Hon'ble High Court, the Candidates were considered for participation in the 3rd round of counselling in Master's Programme of this University and accordingly Ms Ravi Chandrika placed at Sr. No. 26. Similarly, Ms Sakshi Chauhan was placed at Sr. No. 108 in the overall merit list of the candidates for normal seats (Annexure R-1) and Sr. No. 124 under self-financing Seat (Annexure R-2). However, the incumbents could not compete to find their names in the selection list of 3rd counselling for normal seats as per the eligibility criteria and order of merit of selection criteria as per University Prospectus Chapter-III (Annexure R-3). Further, Ms Sakshi Chauhan applied for Self-financing Seat and was also considered for the same. As per merit and her preference order, one seat in the discipline of Environmental Management has been kept reserved subject to the final outcome of the writ petition pending before the Hon'ble High Court in CWP No. 360 of 2021.

In view of the above stand taken by the respondent in the writ petition, learned Counsel for the petitioners submits that since the petitioners have been considered for participation in the 3rd round of the counselling and one self financing seat in the discipline of Environmental Management has been kept reserved, subject to outcome of CWP No. 369 of 2021, therefore, he does not press this contempt petition. The contempt petition is accordingly disposed of as not pressed by the petitioners on account of stand taken by the respondent-University in its reply to the CWP No. 369 of 2021. All pending application(s), if any, also stand disposed of.