

(1994) 12 DEL CK 0035

In the Delhi High Court

Case No : Civil Writ Appeal No"s. 3628, 3658, 3697, 3721, 3751 and 3872 of 1994

Samgeeta Sharma

APPELLANT

Vs

University of Delhi and Others

RESPONDENT

Date of Decision : 02-12-1994

Acts Referred:

Citation : (1995) 1 AD 137 : (1995) 57 DLT 80

Hon'ble Judges : D.P Wadhwa, J;Cyriac Joseph, J

Bench : Division Bench

Advocate : S.K. Mishra, Madhulika Mohan, A.K. Malhotra, Surat Singh, B.S. Jain, R.K. Anand, Arun Birbal, J.L. Bhasin, S.B. Upadhayay, Sanjay Dass, V.P. Chaudhary, S.K. Mahajan and Rajan Sareen, for the Appellant;

Judgement

Cyriac Joseph, J.

(1) The dispute involved in these writ petitions relates to admission to LL.B. course 1994-95 in the Faculty of Law, University of Delhi. The petitioners sought admission but could not secure admission. Notice to show cause as to why rule nisi be not issued, was issued in these writ petitions and affidavit in reply to the show cause notice was filed on behalf of the respondents in Cwp No. 3967/94. According to the petitioners the refusal to admit them was illegal ,arbitrary and unjust. But the respondents contend that admission was denied to the petitioners for valid and justifiable reasons. Since the issues involved in these writ petitions are common and the contentions raised are identical, we propose to dispose of these cases by a common order.

(2) As per the printed Bulletin of Information issued by the Faculty of Law, University of Delhi, (produced as Annexure R-1 along with the reply to the show cause notice) admissions to LL.B. course for all the three Law Centres during1994-95 were to be made centrally by the LL.B. Admission Committee on the basis of LL.B. Entrance Test conducted as per rules and procedure given in the Bulletin .The total number of seats is 1500. Out of them 600 seats are at

LawCentre-1, 400 seats are at Law Centre-11 and the remaining 500 seats are at Campus Law Centre. All admissions were to be made strictly according to merit in the LL.B. Entrance Test, 1994. 15% of the total seats were reserved for Scheduled Castes and 7.5% for Scheduled Tribes. There was no reservation of seats for any other category. The important dates relating to the procedure for admission were given on the first page of the Bulletin and the same are extracted below;-

1. Issue of Bulletin of Monday Information with 18/04/1994 to Application Form Monday 16/05/1994.
2. Last date for receipt Thursday, 26 May of Applications 1994 - 4.00 P.M.
3. Dates for collecting Thursday-Friday Duplicate Admission 16- 17/06/1994 Ticket in case of loss/ non-receipt of Original Admission Ticket
4. Date of Entrance Test Sunday, 19/06/1994
5. Announcement of Result Middle of of Entrance Test July, 1994
6. Submission of necessary One week from the documents for eligibility announcement of and Choice of Law Centre Test result for admission
7. Issue of Admission Lists 20- 29/07/1994 and dates of admission

"IMPORTANT Instructions to Applicants" were given on the second page of the Bulletin. Paragraph 10 therein reads thus:-"The LL.B. Admission Committee reserves the right to change the dates given at page 1."

(3) All the petitioners submitted the applications for L.L.B. Entrance Test 1994 within time and they were allowed to write the Test held on 19/06/1994. According to the important dates given on the first page of the Bulletin, the result of the Entrance Test was to be announced by the middle of July, 1994 and within one week from the announcement of Test result, the candidates had to submit necessary documents for eligibility and the choice of Law Centre. However, the result of the Entrance Test was declared earlier i.e. on 1/07/1994. According to the averments in the affidavit in reply to the show cause notice, on 1/07/1994 itself the deponent (Convener of the LL.B. Admission Committee) issued a Press release stating, inter alia, that the candidates who were eligible for admission to the course must obtain a prescribed form from the Office of the LL.B. Admission Committee and submit the same by 4.00 p.m. on 18/07/1994. It was also stated in the Press release that the first Admission List would be notified on 20-7-1994 on the notice board of the Faculty of Law. A copy of the said press release was displayed on the notice board of the Faculty and was also pasted at various important places in the Law Faculty Building. It is also stated in the said affidavit that the Delhi edition of several news-papers including The Times of India, The Pioneer, The Hindu and the Patriot had carried the news that the result of the LL.B. Entrance Test had been declared, that the eligible candidates should obtain the prescribed form and submit the same by 4.00 p.m. on 18-7-1994 and that

the first Admission List would be displayed on the notice board of the Faculty on 20/07/1994. Photocopies of the said Press release and the press clippings of the said newspapers are produced along with the affidavit of the respondents, marked as Annexure R-3. It is further stated in the affidavit that another notice dated 7-7-1994 was displayed on the notice board of the Faculty and at several places in the Faculty building notifying again to the candidates that the form required for proof regarding eligibility had to be submitted latest by 4 p.m. on 18/07/1994 along with the required 8:45 AM 5/17/2008 that under no circumstances the date would be extended. It was also made clear in the said notice dated 7-7-1994 that if the Final year result of the qualifying examination taken by the candidate had not been declared, he/she must submit the form latest by the above date and time along with 1st year and 2nd year Admission ticket. A photocopy of the notice dated 7-7-1994 is marked as Annexure R-4.

(4) It is asserted in the affidavit in reply to the show cause notice that out of the 4581 candidates who had appeared at the Entrance Test, not less than 3000 candidates were issued eligibility-cum-option form. It is also stated that the office of the LL.B. Admission Committee issued the printed forms right till 18-7-1994 and that hundreds of such forms were issued on that date itself. It is further stated in the affidavit that the office of the LL.B. Admission Committee was fully working on the said date and that it received not less than 1000 eligibility-cum-option forms, duly filled up by the candidates, on that date itself.

(5) The petitioners did not or could not submit the eligibility-cum-option form before 4 p.m. on 18-7-1994. Consequently the names of the petitioners were not considered while preparing the first Admission List which was published as Scheduled on 20-7-1994. Their names did not appear also in the second and final Admission List or in the waiting list which were notified on 28-7-1994. According to the respondents the petitioners on account of their failure to submit the eligibility-cum-option form within the stipulated time (i.e. before 4 p.m. on 18-7-1994) forfeited their right to be considered for admission even if they had obtained high marks in the Entrance Test. Aggrieved by the non-inclusion of their names in the Admission List and by the inclusion of candidates who had obtained lesser marks, the petitioners approached this Court through writ petitions filed under Article 226 of the Constitution of India. Most of the contentions taken in the present writ petitions were taken in the above mentioned writ petitions also. It was contended that the respondents were bound to adhere to the time-frame given in the Bulletin of Information ;that time for submitting eligibility-cum-option form should have been given at least till 22-7-1994 since the result of the Test was to be announced only by the middle of July 1994; that the petitioners were not aware of the early announcement of the result on 1-7-1994; that some of the petitioners could not obtain the form and submit it due to the strike by the Delhi University Karamcharis on 18-7-1994; that at any rate, failure to submit option form cannot result in forfeiture of the right to be considered for admission; and that so long as candidates with lesser marks had been admitted the petitioners were entitled to have a direction issued by this Court to the

respondents to admit them to the LL.B. Course. In some cases where the petitioners were stated to have been living outside Delhi, interim orders were issued by the Court directing provisional admission. All the writ petitions were disposed of by a Division Bench on 22-8-1994 by a common order, a true copy of which is produced as Annexure R-5 along with the reply to show cause notice. Being a short order, it is fully extracted hereunder, for convenience.

"CW No. 3036/94 and connected matters. This is a bunch of writ petitions, filed for the admission in the first year of LL.B. of Delhi University for the year 1994-95. It appears that trouble started when important dates as mentioned in the Bulletin of Information were not adhered to by the respondent as is the contention of the petitioners. Mr. Chaudhary, learned Counsel for the Delhi University at the outset points out that in certain cases we had granted provisional admission to students on the presumption that those students, who were living outside Delhi did not come to know the result of the entrance test, which was stated to have been declared on 1/07/1994 and consequently could not have been aware of the result, which otherwise was to be declared in the middle of July as per the Bulletin. Mr. Chaudhary submits that these students were, in fact, residing in Delhi and they made out a case giving a wrong address. He in fact, showed us a statement in this respect. We do take a previous note of this misrepresentation and we, Therefore, direct that cases of all these students, who gave wrong addresses shall not be considered and their writ petitions dismissed qua them and their provisional admissions cancelled. We further direct that all these writ petitions be treated as representations made to the LL.B. Admission Course Committee of the Law Faculty and that Committee will look into these representations afresh, particularly keeping in view their individual merits and thereafter as per their rank in the merit list. Copies of the writ petitions which have not so far been given to the Counsel for the respondents shall positively be given to Mr. S.K. Mishra in C.W.3224/94 to give additional affidavits as well, along with the copy of the writ petition. All these writ petitions shall stand disposed of in the terms above mentioned. Copy of this order be given dusty to Counsel for all the parties No costs."

(6) One of us, namely, D.P. Wadhwa, J., was a Member of the Bench which passed the above order. It is clear from the order that the petitioners in those writ petitions failed to invite the Court to decide their claims on merits and to persuade the Court to declare their entitlement for admission or to direct the respondents to admit the petitioners to the LL.B. Course. It is obvious that, being an essentially academic matter, the Court was not inclined to interfere with the admission of students, when the petitioners were denied admission only on account of their failure to submit the eligibility-cum-option form within the stipulated time. However, since the announcement of the result of the Entrance Test earlier than the scheduled date could have caused genuine difficulties at least in the case of some of the candidates in submitting the eligibility-cum-option form in time, the Court wanted the LL.B. Admission Committee itself to consider afresh the grievance of the petitioners. Accordingly, the Committee was directed

to treat the writ petitions as representations and to look into the matter afresh. As per the above order of the Court, as we understood, the Committee was expected to examine whether the failure on the part of any of the petitioners to submit the eligibility-cum-option form was due to any bona fide reason or genuine difficulty and if so, to favorably consider him/her admission if he/she would have in the normal course got admission based on the marks obtained by him/her in the Entrance Test. The fate of the provisional admission, if any, would depend on the decision to be taken by the LL.B. Admission Committee after considering the representations afresh.

(7) Pursuant to the abovementioned order dated 22-8-1994 of the Division Bench, the LL.B. Admission Committee offered to each of the petitioners an opportunity for personal hearing and for production of documents in support of his/her case. Statement of each of the petitioners was recorded in a registered, kept for the purpose, in his/her own handwriting. After considering the representations, documents if any produced and the statements recorded, the Committee came to the conclusion that 9 persons among the writ petitioners were entitled to be admitted. Out of them 5 had already got provisional admission and hence they were allowed to continue. The remaining 4 were offered admission. The provisional admissions of 11 persons were cancelled as the Committee found that they were not entitled to admission.

(8) Even in the above mentioned exercise of the Admission Committee, the petitioners in the present writ petitions were not found entitled to admission. Hence they have approached this Court again under Article 226 of the Constitution seeking direction to the respondents to admit the petitioners in the LL.B. course.

(9) It was contended on behalf of the petitioners before us that the LL.B. Admission Committee failed to consider the matter in accordance with the order dated 22-8-1994 of the Division Bench. The contention was that pursuant to the said order of the Court the Committee was expected only to examine whether the candidate was entitled to admission on the basis of his/her marks in the Entrance Test and that if he/she was so entitled, he/she should be given admission irrespective of the fact that he/she did not submit the eligibility-cum-option form before 4 p.m. on 18-7-1994. It was also alleged that by considering the admissibility or otherwise of the reasons or excuses for the failure to submit the eligibility-cum-option form, the Committee was sitting in appeal over the order dated 22-8-1994 of the High Court. We find, no merit in these contentions. We have already extracted the order and indicated as to what was expected of the Committee. The Court had clearly refused to interfere with the admission of students. The Court had declined to consider the merits of the claim of the petitioners and to issue any direction to admit the petitioners. The Court gave to the petitioners only an opportunity to satisfy the Admission Committee about any genuine and bona fide reason that prevented them from submitting the eligibility-cum-option form in time. The Court had not bound the hands of the Committee

in any manner. The Committee was not in any way inhibited by the order of the Court, in exercising its power to take decisions on matters relating to admission. Therefore, we are of the view that the Admission Committee correctly understood the true purport and scope of the order dated 22-8-1994 of this Court and carried out the directions strictly in accordance with that order.

(10) It was contended on behalf of the petitioners that the Admission Committee, while considering the representations pursuant to the order of this Court, acted in an arbitrary and vindictive manner and that the Committee failed to appreciate properly the circumstances in which the petitioners could not submit the eligibility-cum-option form in time. The Admission Committee constituted by the Dean of the Faculty, consisted of four senior teachers with Dr. S.N. Singh as Convener. While disposing of the earlier batch of writ petitions this Court felt that the best persons to understand and appreciate the difficulties of the petitioners would be the members of the Admission Committee. There is no allegation that any of the members of the Admission Committee has any ill-will towards any of the petitioners or that the members of the Admission Committee have any vested interest or ulterior motive in denying admission to the petitioners. In such circumstances we are not inclined to sit in appeal over the conclusions and satisfaction arrived at by the Admission Committee. Admittedly each of the petitioners was offered an opportunity for personal hearing and for production of documents. The statements of the petitioners were recorded in their own handwriting. The Committee considered the writ petition/representations, the documents, if any, produced and the recorded statements before taking the decision. The decision was recorded as a speaking order in each case. The Convener of the Committee, Dr. S.N. Singh himself has sworn to an affidavit stating how the Committee dealt with the matter. There is no reason to reject the statements contained in the affidavit. Hence we are not impressed by the argument that the Committee acted in an arbitrary and vindictive manner.

(11) It was further contended on behalf of the petitioners that the Committee went wrong in extending a differential treatment to some candidates who lived outside Delhi. If the Committee felt that persons living outside Delhi had no possibility of knowing about the early announcement of the Test result and hence had a genuine reason for not submitting the eligibility-cum-option form in time and decided to offer them admission, we cannot find fault with the Committee for taking such a decision especially in view of the directions contained in the order dated 22-8-1994 of this Court.

(12) Another grievance of the petitioners as highlighted by their Counsel, was that the decision of the Admission Committee was not communicated to the concerned candidate individually. The affidavit in reply to the show cause notice shows that the decisions of the Committee were notified on the notice board of the Faculty by means of four notices all dated 26-8-1994, photocopies of which are produced as Annexure R-8. In the nature of the proceedings held by the Admission Committee, Annexure R-8 notices could serve the purpose and

individual intimation to each candidate was not mandatory.

(13) Yet another contention was that the Admission Committee did not give any reasons for denying admission. When the matter was placed before the Admission Committee for fresh consideration, it was understood by all concerned that the petitioners had not been considered for admission as they had failed to submit the eligibility-cum-option form and that the Committee was expected to consider whether there was any justifiable reason for such failure. When the Committee notified on 26-8-1994 that the representations of the petitioners were rejected, it was obvious that the Committee could not find any justifiable reason for the failure of the petitioner to submit the eligibility-cum-option form in time. As already pointed out, the reasoning and decision of the Committee were recorded as a speaking order in each case, though it was not communicated as such. In matters relating to admission in educational institutions, it may not be practical to communicate a detailed speaking order to the candidate whenever a request for admission is declined. At any rate, in the facts and circumstances of this case, we are satisfied that we should not interfere with the decision of the Admission Committee merely because a detailed order containing reasons for denying admission was not communicated to the petitioners.

(14) The learned Counsel for the petitioners argued that so long as candidates having lesser marks have been admitted, the petitioners are entitled to be admitted to the course notwithstanding their failure to submit the eligibility-cum-option form in time, because failure to submit eligibility-cum-option form cannot forfeit their right for admission. It was also argued that the failure of these respondents to adhere to the time schedule given in the Bulletin of Information should not prejudice the right of the petitioners. The very same arguments were made in the earlier writ petitions filed by the petitioners but the petitioners failed to secure the relief from this Court. Having accepted the order dated 22-8-1994 without a demur, the petitioners cannot ordinarily be heard to raise the very same arguments again in these writ petitions. However, we shall deal with these questions as well, since the dispute in these cases touches the educational career of the petitioners.

(15) It was the contention of the petitioners that submission of option form was only a matter of procedure or formality and that in the absence of option form, the respondents could have allotted the petitioners to any of the three Law Centres as if the petitioners had no preference or choice regarding the Law Centre. It is not that simple as it is made out to be. For admission to LL.B. Course requirements of eligibility had to be satisfied. According to the Bulletin of Information only a Graduate or Postgraduate with at least 50% marks or equivalent grade point in the aggregate was eligible to appear in the Entrance Test. The candidate should have completed 20 years of age before 1-10-1994. A candidate appearing in any qualifying examination or awaiting the result of any such examination was also eligible to appear in the Test provisionally but he could not be considered for admission unless he submitted proof of his having

secured the above percentage of marks on or before the date prescribed for the purpose at page 1 of the Bulletin. According to page I of the Bulletin, necessary documents for eligibility had to be submitted within one week from the announcement of Test result. In the application for the Entrance Test, the candidate need only mention among other things the date of birth, the qualifying examination and the percentage of marks. Proof for having passed the qualifying examination with at least 50% marks and for having completed 20 years of age need not be produced along with the application. But before including a candidate in the admission list the Admission Committee should have proof that he/she has passed the qualifying examination with at least 50% marks and that he/she has completed 20 years of age. In other words, apart from securing sufficiently high marks in the Entrance Test, the candidate should also satisfy the eligibility requirements regarding qualification and age. It is in this context that submission of documents to prove eligibility i.e. qualification and age (as well as caste in the case of SC/ST candidates) within one week of announcement of Test result assumes significance. The admission list cannot be prepared without these documents. Hence it is imperative that a deadline or outer limit is prescribed for submission of documents to prove eligibility, which are essential for determining whether one should be included in the Admission List. It cannot be left to the convenience of each candidate. Otherwise chaos and confusion will be the result. Whoever fails to submit the documents within the stipulated time will necessarily have to be ignored in the matter and in that process if a candidate with lesser marks gets admitted, the former cannot complain. For the former it is the penalty for default and for the latter it is the prize for vigil.

(16) Similar is the position regarding the submission of option. Admittedly there are 3 Law Centres for which a common Entrance Test is conducted. Candidates are required to indicate their choice in the order of preference. It could so happen that a candidate would like to join the course only if he gets admission at a particular Law Centre and consequently would indicate only one choice. Therefore ,choice or preference of Law Centre also should be known to the Admission Committee before they prepare the admission list. It cannot be delayed indefinitely or left to the guess work of the Admission Committee. AnnexureR-2 is the prescribed form which is a combined form for proving eligibility and indicating choice of the Law Centre (eligibility-cum-option form). Along with this form duly filled, the candidate is required to produce attested copies of (1)Matriculation certificate for date of birth (2) Marks sheet/Provisional certificate of qualifying examination, for eligibility and (3) Caste certificate if admission is sought under reserved category of SC/ST. It is to be noted that these document sare not required to be produced while submitting application for the Entrance Test and that they are required to be produced only after the Test result is announced and before the admission list is prepared. It is thus clear that submission of eligibility-cum-option form is not an empty formality but an important and essential stage in the process of admission. The authorities who are responsible for running the course decided that the documents to prove

qualification and age as well as the option in respect of the Law Centre, need not be produced by the candidates at the time of submitting the application. They in their wisdom decided that candidates should submit such documents and the option within a stipulated period after the announcement of the result of Entrance Test. They have valid reasons for taking such a decision. They have the necessary expertise and experience in the matter. We could not find anything irrational or arbitrary or unreasonable in their decision. It is for the University and its functionaries and not for the Court to decide how the courses should be conducted or the admissions should be regulated. The High Court cannot and should not assume the role of the University and its functionaries. Therefore, we reject the contention that the failure to submit duly filled up eligibility-cum-option form within the prescribed time limit cannot forfeit the right of a candidate for admission.

(17) It is true that some candidates who got lesser marks than the petitioners have been admitted to the course. It happened because the petitioners did not submit the eligibility-cum-option form within the stipulated time and consequently were not considered for admission. The petitioners will have to blame themselves for this anomalous situation. The respondents cannot be found fault with for strictly following the rules for admission given in the Bulletin of Information.

(18) The next question is whether the Admission Committee committed any illegality or irregularity in announcing the result of the Entrance Test on 1-7-1994 whereas according to the Bulletin of Information, it was to be announced by the middle of July 1994. Paragraph 10 of "Important Instructions to Applicants" (at page 2 of the Bulletin) reserved to the Admission Committee the right to change the dates given at page I of the Bulletin. Hence the Admission Committee was competent to take the decision to announce the Test result on 1-7-1994 instead of mid July. There was no illegality or irregularity in this respect.

(19) Learned Counsel for the petitioners submitted that even if the Committee could change the dates given in the Bulletin it could have been done only with notice to the candidates and without causing any prejudice to them. In this context it is to be noted that as per paragraph 9 of the "Important Instructions to Applicants" (at page 2 of the Bulletin), all notifications including the result of Entrance Test and Admission List will be notified only locally on the Notice Board. As already noted, on 1-7-1994 itself the Convener of the Admission Committee had issued a Press release publishing that the Test Result had been announced on 1-7-1994 and that the eligibility-cum-option form should be submitted by all candidates before 4 p.m. on 18.7.1994. A copy of the Press release was displayed on the notice board of the Law Faculty and was also pasted at various important places in the Law Faculty building. The Delhi edition of several newspapers carried as news item the contents of the said Press release. A further notice dated 7-7-1994 also was displayed on the notice board of the Law

Faculty and at several places in the Faculty building notifying again to the candidates that the form required for proof regarding eligibility should be submitted latest by 4 p.m. on 18-7-1994 along with the required documents and that under no circumstances the date would be extended. Thus the respondents had taken reasonable and adequate steps to notify to the candidates that the Test result was announced on 1-7-1994 and that the duly filled up eligibility-cum-option form should be submitted positively before 4 p.m. on 18-7-1994. It is also to be noted in this context that out of the 4581 candidates who appeared at the Entrance Test not less than 3000 candidates had received from the office of the Admission Committee the eligibility-cum-option forms. In these circumstances it cannot be held that the admissions made by the respondents are irregular. Any candidate exercising reasonable vigil and showing normal interest would have in good time come to know about the announcement of Test result on 1-7-1994 and the requirement of submitting eligibility-cum-option form before 4 p.m. on 18-7-1994. In the ordinary course no prejudice could have been caused to the right of the petitioners due to the change in announcing the Test result. The petitioners missed the bus due to their own default only. There is no merit in the contention of the petitioners that the change of date should have been notified to each candidate through individual notice. As per the rules of admission given in the Bulletin, such a course of action was not required. In the nature of the case it would have been help practically difficult also.

(20) Some of the petitioners including Ms. Sangeeta Sharma (petitioner in CW 3697/94) and Shri Rahul Mehra (petitioner in Cw 3721/94) were confused or misled by the strike of the Karamcharis of the Delhi University on 18-7-1994. Some of them thought that the office would not be functioning. Some others claim to have gone to the Faculty but were not given the form. Some say that there was nobody in the office to receive the filled up form and documents. These aspects were considered by the Admission Committee pursuant to the order dated 22-8-1994 of this Court but in the case of the present petitioners the Committee could not find any merit in their claims. We find no reason to embark upon a further fact finding mission in these proceedings. The Convener of the admission Committee has sworn to an affidavit stating that the office of the admission Committee was fully working on 18-7-1994, that hundreds of forms were issued on that date itself and that not less than 1000 eligibility-cum-option forms, duly filled up by the candidates, were received in the office on 18-7-1994. In these circumstances it is difficult to believe that the petitioners alone were handicapped in obtaining or submitting the forms and documents. We are inclined to accept the finding of the Admission Committee in this respect.

(21) The learned Counsel for the petitioners invited our attention to the decisions reported in Punjab Engineering College Chandigarh through its Principal Vs. Sanjay Gulati and Others, , Deepak Sibal Vs. Punjab University and Another, , Sonu Balhara v. Maharishi Dayanand University, Rohtak and Another , 1989 (6) Slr 67 , and Sharwan Kumar and etc. Vs. Director General of Health Services and another, and contended that since persons with lesser marks were actually

admitted to the course, the Court should direct the authorities to admit the petitioners also, if necessary, by creating additional seats. But we find that none of those decisions is applicable to the facts of this case since we have not held that the admissions made were illegal or that the petitioners were denied admission wrongly.

(22) On behalf of Rahul Mehra, petitioner in Cwp 3721/94 a further contention was raised that the impugned admissions were bad also on account of the failure of the Admission Committee to prescribe a later date for submission of proof in case of late results of the qualifying examination, as contemplated by the Bulletin of Information. This contention cannot be accepted in view of Annexure R-4 notice dated 7-7-94 which dealt with submission of documents in case of delay in declaration of result of qualifying examination. At any rate, so long as the petitioner had not submitted the option in respect of the Law Centre and the proof of age before 4.00 p.m. on 18-7-1994, he could not have been considered for admission. Consequently the above contention has no relevance in his case. Moreover the finalisation of admission to a course cannot be delayed or kept pending until the results of all qualifying examinations are declared. As per Annexure R-4 notice dated 7-7-1994, the Admission Committee was prepared to wait for the result of the qualifying examination till the display of the Second Admission List. Admittedly the petitioner sent the documents to prove qualification only after the display of the Second Admission List.

(23) For the reasons stated above we hold that all the writ petitions are devoid of merit and are liable to be dismissed.

(24) At the close of the arguments Mr. Chaudhary, learned Counsel for the respondent informed us that the Admission Committee again considered the case of 27 persons including the petitioners and decided to offer available vacancies subject to the over all limit of 1500 seats. He said that four vacancies were available as on 25-10-1994 and that four candidates, namely, Padamanabhan K.E., Rajni Kher, Vanita and Rana Sudarshan Bishwas out of a list of eight candidate prepared by the Admission Committee could be considered for admission. However, none of them would be entitled to choice of Law Centre. We, however, feel that all the available vacancies arising till 30-11-1994 should be filled up by offering seats to the remaining four persons, namely, Sunita Singh, Suman Chauhan, Neetu Singh and Rajiv Bhasin out of the aforesaid list of eight students. If, after accommodating them, there are still further vacancies, they should be offered to the petitioners herein on the basis of the rank/marks obtained by them in the Entrance Test. We direct accordingly. We further make it clear that this order will not be treated as precedent for any future admissions as it is only because of the peculiar circumstances of this case that we have issued the afore-said direction and further that some of the students who would get admission, were admitted provisionally earlier under our interim orders in the earlier writ petitions.

(25) The petitions are, Therefore, dismissed subject to aforesaid directions.

However, there will be no order as to costs.