

(2020) 12 DEL CK 0243

In the Delhi High Court

Case No : Civil Writ Petition No. 10433 Of 2020, Civil Miscellaneous No. 33027 Of 2020

Snehil Deota

APPELLANT

Vs

University Of Delhi And Anr

RESPONDENT

Date of Decision : 18-12-2020

Acts Referred:

Citation : (2020) 12 DEL CK 0243

Hon'ble Judges : Jayant Nath, J

Bench : Single Bench

Advocate : Asha Jain Madan, Mohinder J.S. Rupal, Hardi Rupal

Final Decision : Dismissed

Judgement

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Jayant Nath, J",

This hearing is conducted through Video-Conferencing.

1. This writ petition is filed by the petitioner seeking the following reliefs:-

â??(a) Issue an appropriate writ/order/direction declaring the Edit/Updation in registration form notice dated 15.7.2020 for admission to Under-

graduate (UG) programmes for the academic session 2020- 2021 after the Petitioner had uploaded his application for admission on 24.6.2020, as"

ultravires the constitutional provisions; and,

(b) Issue an appropriate writ/order/direction quashing the Final DU UG Sports Merit List, released on 10.12.2020 whereby the Petitionerâ??s"

Participation certificate of â??28th National Under 17 Open Chess Championship 2017â?? held from 24.10.2017 to 1.11.2017 issued on 1.11.2017 by,

â??National Sports Federation (having 68 marks as per the above criteria) has been declared as ineligible and the Petitionerâ??s seniority has been,,,,,,

brought down from 5th to 9th place; and,,,,,,

(c) Issue an appropriate writ/order/direction directing the respondents to prepare a fresh DU UG Sports Merit List after considering and taking into,,,,,,

account (i) the Participation certificate of â??28th National Under 17 Open Chess Championship 2017â?? held from 24.10.2017 to 1.11.2017 issued,,,,,,

on 1.11.2017 by â??National Sports Federation (having 68 marks as per the above criteria) which has been declared as ineligible and (ii) the,,,,,,

Participation certificate of 64th National School Games 2018 - 19 Chess Boys U -17 dated 12.1.2019 issued by â??SGFIâ?? (having 68 marks as per,,,,,,

the criteria) as enclosed with email dated 5.12.2020; and,,,,,,

(d) Issue appropriate writ/order/direction restraining the respondents from proceeding further in the matter of admission to the Under-graduate (UG),,,,,,,

programmes for the academic session 2020- 2021 w.e.f. 19.12.2020 during the pendency of the Writ Petition; andâ??,,,,,,,

2. The case of the petitioner is that he had applied under the Sports Quota for admission to the Delhi University in terms of the Press Release dated,,,,,,

20.06.2020. On 20.06.2020, the Bulletin Information was also uploaded on the website of the Delhi University. Clause 6.2 of the Bulletin Information",,,,,,,

prescribed the guidelines for admission on the basis of the sports quota. Based on the guidelines, the petitioner had uploaded three certificates of",,,,,,,

participation in sports tournaments. In the tentative results that were declared on 02.12.2020, the petitioner had been given Rank 5 with certificates",,,,,,,

marks as 68, 68 and 58. However, on 09.12.2020, the second sports certificate of the petitioner was discarded. On 10.02.2020, the guidelines for",,,,,,,

admission on the basis of sports category were released and the rank of the petitioner was reduced from Rank 5 to Rank 9.,,,,,,,

3. I have heard learned counsel for the petitioner. She has raised the following broad grievances:-,,,,,,

(i) The second sports certificate in question has been wrongly discarded by the respondent has led to a loss of 68 marks to the petitioner without an,,,,,,

opportunity or explanation to explain the issue.,,,,,,,

(ii) It has been urged that the petitioner had a fourth sports certificate which he wished to upload and which would also have fetched 68 marks but,,,,,,

unfortunately, the website of the respondent did not permit uploading of the said fourth sports certificate despite several attempts. Reliance is placed",,,,,,

on the prospectus which stated that the window for editing was likely to be announced between the 3rd week of August to the 2nd week of,,,,,

September, 2020. The window did open but not for the sports quota.",,,,,

4. Learned counsel for the respondent has pointed out that in terms of the brochure released by the respondent, the last date for submitting forms",,,,,,

which was originally 04.07.2020 was extended till 31.08.2020. He states that if after the last date, if candidates are allowed to file additional",,,,,,

certificates on various grounds it would lead to needless chaos and confusion. He also points that the second sports certificate has been discarded as it,,,,,

pertains to the open tournament and did not fall in the category of the prescribed tournaments.,,,,,,

5. I may look at the relevant portion of the brochure in question which reads as follows:-,,,,,

6.2 Guidelines for Admission on the Basis of Sports,,,,,

The Colleges shall communicate on the DU UG Admission portal the total number of seats under Sports Quota (Supernumerary) alongwith,,,,,

requirement in different Games/Sports in Men / Women as applicable. The admission on the basis of Sports shall be administered through centralized,,,,,

Sports Merit List based on the Highest Marks obtained in the uploaded Merit/ Participation Sports Certificate and order of their preference of courses,,,,,

and colleges as indicated by the applicant.,,,,,,

1. The applicant seeking admission on the basis of Sports is required to register online on the DU UG Admission portal.,,,,,,

2. Applicant can register for a maximum of three Games/Sports.,,,,,,

3. They should also register for a maximum of five courses and colleges in order of their preference where they wish to get admitted. These,,,,,

preferences will be utilized later in the allotment of course and college.,,,,,,

4. An additional registration fee of Rs.100 will apply in the Sports category in addition to charges for (UR/OBC/SC/ST/PwBD/EWS) Registration.,,,,,,

Admission here in will be based on:,,,,,

I. Direct admission on the basis of Category A of the Criteria for Marking of Merit/ Participation Sports Certificate.,,,,,,

II. Admission on the basis of Category B, C & D of the Criteria for Marking of Merit/Participation Sports Certificate." ,,,,,,

I. Direct Admission on the basis of Category A of the Criteria for Marking of Merit/Participation Sports Certificate ,,,,,,

Sportspersons who have represented India in the under-mentioned Competition(s), recognized and funded by the Ministry of Youth Affairs and Sports" ,,,,,,

(MYAS) will be given Direct Admission for the Game/Sport at Point no. II(B) where requirement for the Game/Sport has been given by the ,,,,,,

constituent Colleges. ,,,,,,

Category, "Level of Game/Sport

Competition(s)", "Certificate

Issuing

Authority", Maximum Marks (100), ,,,

, ,,, 1st Position, 2nd Position, 3rd Position, Participation

A, "Representing India in

Olympic Games/World

Championship/World

Cup/Commonwealth

Games/Asian

Games/Asian

Championship/South

Asian Games/ Paralympic

Games", "IOC/ISF/CGF/

OCA/SAOC

/IPC/ IOA/NSF

Recognized and

funded by

Ministry of

Youth Affairs &

Sports (MYAS)", DIRECT ADMISSION, ,,,

B,"P o s i t i o n and/or
participation in
International
Youth/Junior
Competition/National
Games/ Federation
Cup/Senior National
National/Inter-Zonal
National/National School
Games Under 17/19/
Khelo India
School/Youth Games
Under
17/21/Youth/Junior
National/SubJunior/Zonal
National Competition","ISF/IOA/NSF
recognized and
funded by
Ministry of
Youth Affairs
& Sports
/(MYAS)/
School Games
Federation of
India (SGFI)","98,88,78,68

8. I also cannot help noticing that the petitioner has already on merit obtained admission in Khalsa College. There is a possibility that being at Rank 9,,,,,, candidate, the petitioner may still get a college under the sports quota.",,,,,,
9. There is no merit in the petition and the same is accordingly dismissed. Pending application also stands dismissed.,,,,,,,