

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Civil Writ Petition No. 1099/2022

Dr. Gopal Choudhary S/o Shri Ganga Ram Choudhary, Aged
About 28 Years, Ward No. 57, Saran Nagar, Jodhpur (Rajasthan)
Mobile No. 8559931555

-----Petitioner

Versus

1. Ug/pg Ayush Counseling Board, 112-113, Administrative Block, Dr. Sarvapalli Radha Krishnan Rajasthan Ayurved University, Nagaur Road, Karwar, Jodhpur, Rajasthan Through Its Chairman.
2. Dr. Sarvapalli Radha Krishnan Rajasthan Ayurved University, Through Its Registrar, Nagaur Road, Karwar, Jodhpur (Rajasthan).
3. University College Of Ayurveda, Dr. Sarvapalli Radha Krishnan Rajasthan Ayurved University, Nagaur Road, Karwar, Jodhpur, Rajasthan Through Its Principal.
4. Madan Mohan Malviya Govt. Ayurved College, Udaipur Through Its Principal.

-----Respondents

For Petitioner(s) : Mr. Yash Pal Khileree, through VC

For Respondent(s) : Mr. Anil Kumar Gaur, AAG, through VC

JUSTICE DINESH MEHTA

Order

18/01/2022

1. The petitioner having appeared in All India Ayush Post Graduate Entrance Test (AIAPGET) for academic Session 2020-21, aspiring to get admission in PG course of Ayurveda.
2. The respondent Coordinator conducted two rounds of counselling and thereafter a mop up round on 23.02.2021.

3. Whereafter stray vacancy round was held in which the petitioner was present before the concerned Board, however, he was not given admission. Now many seats were lying vacant.

4. Petitioner's aforesaid representation is still pending.

5. Mr. Khileree, learned counsel for the petitioner argued that indisputably, many seats are lying vacant and keeping it vacant will not only take away candidates' right, but also restrict the resource of the University. He submitted that in case the petitioner, who is passionate to do the course and is otherwise higher in merit is given admission, it would be beneficial to all concerned.

6. Learned counsel appearing for the respondent-Board submitted that the said seats were offered to the candidates, who after admission resigned from seats, but however did not dispute the factual submissions made by learned counsel for the petitioner.

7. Having regard to the facts and circumstances of the case, this Court is of the view that interest of justice would be better served if the petitioner is accorded admission in Ayurveda PG course. Keeping the seats vacant serves nobody's cause – it is a wastage of resources. सत्यमेव जयते

8. The respondent – Counselling Board is therefore directed to allot appropriate college/University to the petitioner for pursuing his PG course against vacant seat for academic Session 2020-21.

9. Needless to observe that the fact that the petitioner is being given admission by this Court at a later point of time, will not create any equity in his favour and the petitioner will be required to fulfill requisite attendance criteria of the respondent-University

for being eligible to appear in the examinations. The petitioner shall obviously be required to pay applicable fee and charges.

10. Writ petition so also stay petition stand disposed of accordingly.

(DINESH MEHTA),J

121-skm/-

RAJASTHAN HIGH COURT



सत्यमेव जयते