

Atul Kumar Vs. The Chairman (joint Seat Allocation Authority)

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Court : Supreme Court of India

Decided On : Sep-30-2024

Judge : HON'BLE THE CHIEF JUSTICE HON'BLE MR. JUSTICE J.B. PARDIWALA HON'BLE MR. JUSTICE MANOJ MISRA

Appeal No. : W.P.(C) No.-000609-000609 - 2024

Appellant : Atul Kumar

Respondent : The Chairman (joint Seat Allocation Authority)

Advocate for Pet/Ap. : PRAGYA BAGHEL __

Judgement :

WPC6092024 2024 INSC749Reportable IN THE SUPREME COURT OF INDIA CIVIL ORIGINAL JURISDICTION Writ Petition (Civil) No 609 of 2024 Atul Kumar Petitioner Versus The Chairman (Joint Seat Allocation Respondents Authority) and Others

ORDER

1The petitioner is a meritorious student. He belongs to the Scheduled Caste category. He appeared for the JEE (Advanced) 2024 Examination and secured a rank of 1455 in his category. He was allotted a seat at the Indian Institute of Technology Dhanbad for a four year Bachelor of Technology course in Electrical Engineering. This was the second attempt and, therefore, the last chance for the petitioner to secure admission since only two attempts are permissible. The petitioner has disclosed that his father is a daily wager. The petitioner completed his higher secondary education from Khatauli, District Muzaffarnagar, Uttar Pradesh. The family income is below the poverty line. 1 WPC6092024 2 The time frame for the completion of online reporting, including the payment of fees and uploading of documents was till 5 pm on 24 June 2024. The petitioner has stated that his parents arranged the funds required for the payment of fees. The fees were deposited in his brothers account by 4.45 pm. The petitioner states that he logged into the portal of the first respondent at 4.45 pm and applied in the float category of admission and uploaded the documents. The portal closed at 5 pm and his payment was not processed. 3 The petitioner thereafter addressed an email to the first respondent. A response was received on 26 June 2024 from the IIT Bombay Office for JEE (Advanced) redirecting the candidate to the organizing IIT, which is IIT Madras. Eventually, these attempts did not bear any fruit. 4 The petitioner approached the Jharkhand High Court Legal Aid Service Committee and he was directed to the Legal Services Committee of the Madras High Court. A writ petition was instituted before the High Court of Madras, but when the case came up for hearing, he was advised to approach this Court. 5 The facts as they have been revealed before this Court indicate that there is no dispute about three critical aspects: (i) the allotment of the seat in Electrical Engineering to the petitioner at IIT Dhanbad; (ii) the Scheduled Caste status of the petitioner; and (iii) the steps which were taken by the 2 WPC6092024 petitioner to comply with all formalities pursuant to the allotment to him of a seat for the course. 6 Counsel appearing on behalf of the first respondent has furnished to the Court the log-in details of the petitioner, which indicate

that he was diligent in accessing the portal and did everything within his power to secure the realization of his admission. The petitioner logged in on 24 June 2024 between 15.12 hours and 16.57 hours, on as many as six occasions. This evidently indicates that he was making earnest efforts to log into the portal. There is no conceivable reason why the petitioner would not have done so if he had the wherewithal to pay the fees of Rs 17,500. A talented student like the petitioner who belongs to a marginalized group of citizens and has done everything to secure admission should not be left in the lurch. The power of this Court under Article 142 of the Constitution to do substantial justice is meant precisely to cover such a situation. 7 We accordingly order and direct that the petitioner should be granted admission to IIT Dhanbad against the seat which was allotted to him in the branch of Electrical Engineering. The petitioner will be admitted to the same batch to which he would have been admitted in pursuance of the order of allotment. The petitioner is ready and willing to pay fees of Rs 17,500, which may be paid over personally at the time when admission is granted to him. A supernumerary seat shall be created for the petitioner, if so required, for the purpose of complying with this order and no existing student shall be 3 WPC6092024 disturbed in consequence. The petitioner would be entitled to all the consequential benefits of admission, including allotment of hostel accommodation and other facilities. 8 Since the admission of the petitioner has been delayed for no fault of his, we request the Director of IIT Dhanbad to use his good offices to ensure that the petitioner can duly complete the course work for the period which has already elapsed during this academic year. This will ensure that the petitioner is abreast of his class and does not suffer for the delay in granting him admission. 9 The Petition is disposed of in the above terms. 10 Pending applications, if any, stand disposed of.CJI. [Dr Dhananjaya Y Chandrachud].J].

[J B Pardiwala].J].

[Manoj Misra]. New Delhi; September 30, 2024 CKB 4

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