

Umesh Singh Yadav

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Petitioner

Versus

The Chancellor, H.N.B. Garhwal University,
Srinagar (Garhwal) and others

.....

Respondents.

Hon'ble P.C. Verma, J.

This petition has been filed by the petitioner seeking a direction from this Court to respondents for providing admission to the petitioner to undergo B.Ed. training course in the University, Session has commenced and more than three months have already passed. According to the petitioner, the petitioner has secured 280 marks in the written examination and candidates, who secured marks upto 281 have been admitted and five seats were lying vacant on account of not turning up of certain candidates. After coming to know about the existing vacancies the petitioner made a representation to the Chancellor of the University who allowed the representation. The petitioner complains that the order of the Chancellor has not been complied with by the Vice- Chancellor. The petitioner submits that the Chancellor's order has not been complied with and the petitioner has not been given admission. The Chancellor is not powerless. He can very well see that his order is complied with and if there is delay in non-compliance, the Chancellor can take proper disciplinary action against the concerned authority. This Court is not executing court. The power under Article 226

of the Constitution of India cannot be exercised for the non-compliance of the order of for the compliance of the order under U.P. State Universities Act, 1973.

However, it is open for the petitioner to request the Chancellor to take appropriate disciplinary action, if the order of the Chancellor is not complied.

With the aforesaid observation, the petition is dismissed.

Dt. 26.2.2001.

(P.C. Verma, J.)

R. Singh.