

Court No. - 8

Case :- MISC. SINGLE No. - 27843 of 2021

Petitioner :- Sanskriti Ranjan

Respondent :- Joint Seat Allocation Authority Thru. Org. Chairman Jee& Ors

Counsel for Petitioner :- In Person

Hon'ble Dinesh Kumar Singh,J.

1. Petitioner, Ms. Sanskriti Ranjan, appears in person.
2. Mr. Sarvesh Kumar Dubey, Advocate has volunteered to assist the petitioner in the petition.
3. **Let this matter be put up at 2.15 p.m. today.**
4. In the meantime, Mr. Dubey will inform Mr. S.B. Pandey, learned Assistant Solicitor General of India, to remain present at 2.15 p.m. before this Court.

(At 2:15 P.M.)

1. In compliance of the order passed before Lunch, Mr.S.B.Pandey, learned Assistant Solicitor General of India assisted by Mr.Mukund Madhav Asthana has put in appearance on behalf of Union of India, Ministry of Education (Department of Technical Education).
2. Facts of the case are extraordinary and peculiar in the sense that the petitioner belongs to a Scheduled Caste Community. She is a bright student. The petitioner had secured 95.6% marks in 10th and 94% marks in 12th. She appeared in the Joint Entrance Examination for selection in the I.I.Ts. The petitioner was successful in clearing the exam. She has secured 92.77 percentile marks in J.E.E Mains Examination and, she secured her rank at 2062 as S.C. Category candidate. Thereafter, the petitioner had applied for J.E.E. Advanced on 16.09.2021 and, cleared J.E.E. Advance on 15.10.2021 with 1469 rank in Scheduled Caste Category.
3. The petitioner was allotted a seat at I.I.T. (B.H.U.) Varanasi for Mathematics and Computing (5 years, Bachelor and Master of Technology (Dual Degree) in the counseling. However, the petitioner could not arrange a meager amount of Rs.15,000/-, the fee to be paid before the scheduled

date.

4. Mr.Servesh Kumar Dubey and Ms.Samta Rao, learned counsels have voluntarily agreed to assist the Court in the case. The petitioner has not been able to pay meager amount of Rs.15,000/- for seat acceptance as her father has been diagnosed with chronic Kidney decease and, he has been advised for Kidney Transplant. Father of the petitioner has to undergo dialysis twice in a week to survive. It is said that due to ill health of the father of the petitioner and financial crisis created by medical expenses and Covid-19, the petitioner could not arrange Rs.15,000/- fee for allotment of seat at I.I.T., B.H.U. The petitioner and her father have written many times to Joint Seat Allocation Authority for extension of time indicating precarious condition for which she could not deposit the fee but no reply has come forth from the Joint Seat Allocation Authority.

5. Mr.Servesh Kumar Dubey and Ms. Samta Rao, learned counsels who are assisting the petitioner in the matter on Court's request have brought to the notice of this Court an interim order dated 22.11.2021 passed by the Supreme Court in **Civil Appeal No.6983 of 2021: Prince Jaibir Singh vs Union of India & Ors.** In the said case also, a candidate namely, Prince Jaibir Singh a dalit student could not deposit the fee for seat allocation before the last date of depositing the fee and, the Supreme Court considering career prospect of a young dalit student, who was on the verge of losing valuable seat allotted to him in I.I.T. Bombay, directed that the said candidate, Prince Jaibir Singh to be admitted in I.I.T. Bombay pursuant to the allocation of the seat to him by creating a supernumerary seat.

6. The aforesaid order though was passed under Article 142 of the Constitution of India but considering the facts of the present case, where a young bright dalit girl student has come before this Court seeking equity jurisdiction to enable to pursue her dream of getting admitted in the I.I.T., this Court on its own has volunteered to contribute Rs.15,000/- the fee for allocation of the seat. The said amount has been handed over to the petitioner after court hours today itself.

7. In view of the aforesaid, as an interim measure, Joint Seat Allocation

Authority and I.I.T. B.H.U. are directed to admit the petitioner in Mathematics and Computing (5 years, Bachelor and Master of Technology (Dual Degree)). If there is no seat vacant in the said discipline, I.I.T. B.H.U. is directed to create a supernumerary post, which shall be subject to the admission of the petitioner being regularized in the event of any seat falling vacant in future as a result of exigency which may arise in the course of admission process. If no seat falls vacant, the petitioner shall continue her studies for Mathematics and Computing (5 years, Bachelor and Master of Technology (Dual Degree)) course against a supernumerary seat.

8. The petitioner shall report at I.I.T. B.H.U. within a period of three days from today with relevant papers and fee for getting herself admitted for Mathematics and Computing (5 years, Bachelor and Master of Technology (Dual Degree)).

9. Mr.Servesh Kumar Dubey and Ms. Samta Rao, learned counsels have prepared an application for impleadment of necessary parties.

Let that application be filed in the Registry.

10. List this petition along with the application in the next week.

11. The petitioner is at liberty to file a self attested computer generated copy of this order downloaded from the official website of this Court for necessary compliance.

Order Date :- 29.11.2021
prateek/MVS