

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **Writ Petition (Civil) No.11549/2009**

% **Date of Decision: 11.09.2009**

Sh.Sunil Kumar Jeph Petitioner
Through Mr.Ajeet K.s. Bhadauria, Advocate

Versus

The Vice Chancellor, University of Delhi and others Respondent
Through Mr.Anurag Mathur, Advocate for
respondents No.1 and 2.
Ms.Zubeda Begum, Advocate for
respondent No.4.

CORAM:
HON'BLE MR. JUSTICE ANIL KUMAR

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| 1. | Whether reporters of Local papers may be allowed to see the judgment? | YES |
| 2. | To be referred to the reporter or not? | NO |
| 3. | Whether the judgment should be reported in the Digest? | NO |

ANIL KUMAR, J. (ORAL)

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The petitioner seeks an order or direction to the respondent No.1 and 2 and respondents No.3 to 4 to mention the marks in the mark sheet obtained in the practicum by the petitioner and to allow the petitioner to appear in the upcoming re-examination which is going to be held and conducted in the second week of September 2009 for the paper Education Psychology in which the petitioner could not be able to secure minimum passing marks. The petitioner has also sought appropriate direction to the respondents No.1 to 3 to issue fresh mark

sheet showing correct marks obtained by the petitioner to secure his academic career.

Learned counsel for the respondent/University has produced a copy of the letter dated 2nd September, 2009 issued to the petitioner regarding his request to mention the marks of the practicum and for issuing of fresh mark sheet.

The letter indicates that on examining the complaint of the petitioner, the Teacher-in-Charge had informed that the petitioner had discontinued coming to the College without any permission or information to the College office or Teachers concerned with effect from 18th November, 2008. The petitioner did not attend the College so he did not deliver the lessons in second rotation and did not complete the required lessons plan. It is also intimated by the Teacher-in-Charge that he discussed only three lessons with the subject Teacher whereas minimum required lessons for discussions were four and, therefore, he could not be assessed on the basis of his assessment and he has been awarded no marks in the final assessment.

Perusal of the petition rather reveals that the petitioner has not disclosed that he had been absent from 18th November, 2008 and he did not submit the minimum required four lessons. Rather the allegation of negligence on the part of the respondents No.1, 2 and 3 has been made.

Apparently, in the facts and circumstances, the petitioner has concealed the material facts. In the circumstances, there are no

grounds to interfere. The petitioner has failed in two subjects and therefore he cannot be placed in compartment nor he is entitled for issuance of any revised mark sheet.

The writ petition is, therefore, dismissed.

September 11, 2009
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ANIL KUMAR, J.