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

+ W.P.(C) 3603/2013

PUNAM

Through: Mr.Ravinder Narwal, Adv. Petitioner

versus

UNIVERSITY OF DELHI

Through: Mr.M.J.S.Rupal, Adv. Respondent

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

ORDER

30.05.2013

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Petitioner was admitted to the University of Delhi (School of Correspondence) in the year 1999 in the B.Com. (Pass) stream. The petitioner has yet not completed her course as she remained absent in one paper. The petitioner has also not completed her course within the prescribed span period. The petitioner thereafter applied for a special chance to the University on 4.4.2013 but the same was denied as the Standing Committee of the Academic Council decided that no special chance will be given to the students who have taken admission before the year 2000.

Mr.Rupal who enters appearance on advance copy submits that the University of Delhi has adopted a uniform policy and the case of the petitioner was considered in the meeting of the Standing Committee of the Academic Council held on 23.04.2013. The meeting was attended to by senior professors. Copy of the minutes of the meeting so held has been placed on record.

Heard learned counsel for the parties. The University has taken a uniform decision not to grant a special chance to students admitted prior to the year 2000. It is well settled principle of law that the Courts should leave the decision regarding academic matters to experts, who are more familiar with the problems they face than the courts.

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The Hon'ble Supreme Court while following its earlier decision of the

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Constitution Bench in University of Mysore vs. C.D. Govinda Rao, AIR 1965 SC 491 has held in Tariq Islam vs. Aligarh Muslim University & Ors. (2001) 8 SCC 546 that "normally it is wise and safe for the Courts to leave the decision of academic matters to experts who are more familiar with the problems they face than the courts generally are". A similar view has been expressed in several decisions of the Hon'ble Supreme Court in the matters of Dr. Uma Kant vs. Dr. Bhika Lal Jain JT 1991 (4) SC 75 (para 9), Bhushan Uttam Khare vs. The Dean, B. J. Medical College & Ors. JT 1992(1) SC 583 (para 8), Rajender Prasad Mathur vs. Karnataka University & Anr. AIR 1986 SC 1448 (para 7) = 1986 Supp. SCC 740 (para 7), P.M. Bhargava & Ors. vs. U. G. C. & Anr. 2004 (6) SCC 661 (Para 13), Chairman, J&K State Board of Education vs. Feyaz Ahmed Malik & Ors (2000) 3 SCC 59, Varanaseya Sanskrit Vishwavidyalaya & Anr. vs. Dr. Rajkishore Tripathi & Anr. (1977) 1 SCC 279 (para 12), Medical Council of India vs. Sarang & Ors. (2001) 8 SCC 427 (para 6), Bhagwan Singh & Anr. vs. State of Punjab & Ors. (1999) 9 SCC 573.

Having regard to the uniform decision taken by the University there is no ground to entertain the present writ petition.

The writ petition is accordingly dismissed.

MAY 30, 2013
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G.S.SISTANI, J.

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