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

+ W.P.(C) 3725/2013 & CM No.6967/2013 (Stay)

GARIMA DALAL & ORS

..... Petitioners

Through: Mr.Neeraj Kumar, Mr.Y.S.Dalal and Ms.Jagriti Ahuja, Advs.

versus

GURU GOBIND INDRAPRASTHA UNIVERSITY AND ORS. ...Respondents

Through: Mr.Mukul Talwar and Mr.Sradhananda Mohapatra, Advs. for GGSIP.

Mr.Roshan Lal Goel, Adv. for R-3/UOI.

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

ORDER

30.05.2013

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The petitioners appeared in 10+2 examination in March, 2013, result of which is awaited. In March, 2013, itself, respondent no.1 published a notification and brochures for proposed schedule for various Common Entrance Tests (CET) for the academic session 2013-2014. The applications were invited till 9.4.2013. The petitioners filled up application forms for the examination scheduled for 19.05.2013 to be held at respondent no.1 University located at Sector 16C, Dwarka, Delhi. The petitioners received their admit cards. On 19.5.2013, the petitioners could not reach the examination centre on time and, thus, they were not permitted to appear in the examination, which has led to the filing of the present writ petition.

Learned counsel for the petitioners submits that on 19.5.2013 i.e. the date of examination there was a VIP movement as the Chinese Premiere was visiting India and in the wake of a protest procession by

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Indian refugees many roads were barricaded to check the movement of

the protesters, which led to the traffic jams, which was widely reported in the media, and, thus, there was delay in reaching the examination centre. Counsel submits that the petitioners, in these circumstances, have prayed that a direction be issued to respondent no.1 to re-conduct the examination in the light of the fact that large number of candidates have missed the examination or in the alternate a separate examination be held for those, who missed the examination.

Mr.Talwar, learned counsel for respondent no.1, has opposed this petition while placing reliance on the prospectus where it has been made abundantly clear that each student must reach the exam centre 30 minutes before the examination and thereafter a student would not be permitted to appear in the examination. Mr.Talwar submits that such a stipulation is made to avoid use of any unfair means by the students at large. He further submits that 58,548 students have appeared for the examination, out of which 48,739 students have appeared in Delhi and majority of the students reported on time at the examination centres i.e. only a fraction have reached late at the examination centres. Moreover, at the centre in question also, 87% students have appeared in the examination.

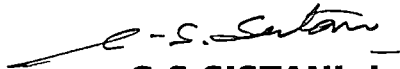
The matter was listed on 29.5.2013. It was adjourned for today i.e. 30.5.2013 to enable Mr.Talwar, counsel for respondent no.1, to seek instructions in the matter. Today Mr.Talwar has informed the Court that since the result of the examination has been declared it is impossible to conduct another examination for the petitioners.

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I have heard learned counsel for the parties. It is unfortunate that the students could not appear in the examination on time on account of traffic jams as stated in the petition. As per the prospectus a student has to reach the examination centre thirty minutes prior to the examination. In this case the examination was to commence at 2.00 p.m. and the students were to report to the examination centre at 1.30 p.m., the students have reached the examination centre after 2.00 p.m. Since the result of the examination has already been declared and having regard to the terms of the prospectus referred above, and the difficulty explained by counsel for the respondents unfortunately no relief could be granted to the petitioners.

Writ petition and the application seeking interim relief are accordingly dismissed.

MAY 30, 2013//dk//


G.S.SISTANI, J

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