

IN THE HIGH COURT OF HIMACHAL PRADESH AT SHIMLA

LPA No. 538 of 2026
Decided on : 22.09.2026

Himachal Pradesh National Law University and others

...Appellants

Versus

Akshat Singh and another

...Respondents

Coram

The Hon'ble Mr. Justice G.S. Sandhawalia, Chief Justice.
The Hon'ble Mr. Justice Bipin C. Negi, Judge.

Whether approved for reporting?¹

For the appellants : Mr. Sarthak Mehta, Advocate.

For the respondents : Mr. Rakesh Dhaulta, Additional
Advocate General.

G.S. Sandhawalia, Chief Justice (Oral)

The present Letters Patent Appeal is directed against the judgment passed by the learned Single Judge in ***Civil Writ Petition No. 10560 of 2026***, titled ***Akshat Singh Vs. The Vice Chancellor, Himachal Pradesh National Law University and others***, dated 20.08.2026, filed by the student, who has been fighting to get an order in his favour and the learned Single Judge had chosen to quash the detention order dated 06.12.2025 (Annexure P-4) and order dated 04.06.2026 (Annexure P-5).

2. Vide said orders, on account of having only 57.29% attendance, it had been found that the petitioner was having less lectures in the 7th Semester and was not allowed to appear in the

¹ Whether reporters of the local papers may be allowed to see the judgment?

End Semester Examination, scheduled to be held from 11th to 26th December, 2025.

3. Vide order dated 04.06.2026 (Annexure P-5), in view of the earlier orders passed in **CWP No. 19747 of 2025** titled **Akshat Singh Vs. HPNLU**, the case of the petitioner had been reconsidered and the University-Authority had excluded his suspension period from 28.09.2025 to 13.10.2025 for calculating his percentage of attendance and come to the conclusion that his attendance was only 57.29% and not granted him any benefit. Resultantly, 2nd Writ Petition in question was filed.

4. Learned Single Judge primarily relied upon the directions passed by the Apex Court in its order dated 21.07.2026, passed in **Writ Petition (Civil) No. 31/2025**, titled **Prakruthi Jain Vs. Bar Council of India**, to come to the conclusion that there were directions issued in Para-8 of the said order and the petitioner fell within the purview of the directions issued by the said order and allowed the writ petition and set aside the detention order dated 06.12.2025 and order dated 04.06.2026 and allowed the petitioner to appear in the examination of 8th Semester and to attend classes of 9th Semester.

5. Apart from the said order, learned Single Judge had also relied upon the observations made by the Bombay High

Court in ***Writ Petition No. 6072 of 2026***, titled ***Aniruddha Gaurav Gursal and another Vs. State of Maharashtra and others***, decided on 10.08.2026, to grant the said benefit. The said Court had also granted the benefit in favour of the students on the strength of the order of the Apex Court.

6. We have also been taken through the details of the shortage of attendance. It is not disputed that the Apex Court had directed, in paragraphs No.7 and 8, that the effect of the order of the Delhi High Court dated 03.11.2025, had been stayed prospectively on 26.05.2026. The observations made in paragraphs No.7 and 8 are obviously for the benefit of the students as such, that if there is any shortage as such, in the attendance after 03.11.2025, the students shall not be detained or prevented from appearing in the final examination for the said academic session. The relevant paragraphs reads as under:-

“7. Having considered the submissions advanced at the bar, we are of the considered view that as the judgment rendered by the Delhi High Court in November, 2025 diluted the attendance norms in the law colleges and as the directions contained in the said judgment were virtually accepted by the Bar Council of India, the students who acted under a bona fide belief that mere shortage of attendance would not be an impediment to their appearing in the examinations for the ongoing academic session are entitled to the benefit of doubt as a one time measure only. Otherwise also, we may clarify that our stay order dated 26th May, 2026 categorically records that the effect thereof shall be prospective.

8. Hence, we hereby direct and provide that the students whose academic session was ongoing when the

judgment dated 3 rd November, 2025 was rendered by the Delhi High Court, shall not be detained or prevented from appearing in the final examinations for the said academic session. The order dated 26th May, 2026 being prospective in its operation, the law students who are now facing an imminent consequence of loss of academic session on account of shortage of attendance shall not be prejudiced by the order passed by this Court and that they shall be permitted to appear in the final examination for the said academic session. In case the students have not been able to appear in the final examination either completely or partially, they shall be allowed to take the supplementary examination for this session only."

7. Upon examining the shortage of lectures, as per the details given by and relied upon by the University also, it is apparent that after 02.11.2025, 78 lectures were held for the 5 subjects in question and the student's attendance was 66.60%, out of 114 lectures. Prior to that, he had attended 62 lectures out of 122 lectures and thus, was having only 50.82% attendance. The total number of lectures are 199 for the both periods.

8. Keeping in view the intent of the order passed by the Apex Court, we are of the considered opinion that if the attendance post 02.11.2025 is taken to be 100% by condoning the shortage as such and giving the student the benefit of 26 lectures and giving him the attendance of 78 and it is clubbed with earlier 62 lectures, it would make total number of lectures as 140, out of 199 lectures and he would then cross the requisite 70% mark. It is not disputed that even the Vice Chancellor has a discretion as such of 5% to condone the shortage of lectures.

9. In such circumstances, we are of the considered opinion that there was also an interim order passed in favour of the student in the first round of litigation and he had attended classes under the interim order passed by this Court, though the order was conditional. He is already now studying in 9th Semester and if the protection is not granted to him, he would go back to the 7th Semester and loose two years.

10. In such circumstances, we are of the considered opinion that there is no cause as such, to interfere with the well reasoned order passed by the learned Single Judge and the beneficial part of the order of the Apex Court must flow to the student.

11. Accordingly, the present appeal is dismissed. Pending miscellaneous application(s), if any, also stands disposed of accordingly.

(G.S. Sandhawalia)
Chief Justice

(Bipin C. Negi)
Judge

September 22, 2026
(Shivank Thakur)