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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
CNR No. DLHC011011452025
+ **W.P.(C) 18921/2025&CM APPL. 53856/2026**
PARTH ARORA Petitioner

Through: Mr. Anuj Aggarwal, Mr. Yudhishter
Sharma, Mr. Sulabh, Mr. Kushal Kumar, Ms.
Chahat Kaushik and Mr. Prabhav Pachauri, Advs.
versus

SHAHEED SUKHDEV COLLEGE OF BUSINESS STUDIES

.....Respondent

Through: Mr Anurag Dayal Mathur, Adv. for R1
Mr. Mohinder Rupal, Mr Hardik Rupal, Ms
Aishwarya Malhotra, Ms. Tripta Sharma, Advs.

CORAM:
HON'BLE MR. JUSTICE JASMEET SINGH

ORDER
07.09.2026

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1. This is a writ petition filed under Article 226 of the Constitution of India seeking the following prayers:-

“a) Issue a writ of mandamus directing the Respondent College to allow the Petitioner to appear in the Fifth Semester (BMS) end-term examinations, notwithstanding the attendance shortfall.

b) Direct respondent that the Petitioner shall make up the attendanceshortfall in the Sixth Semester or comply with



conditions, whatever imposed by this Hon'ble Court to this effect.

c) Direct the Respondent to consider the attendance waiver recommendation of the SSCBS Incubation Cell and recalculate the Petitioner's attendance accordingly.

d) Direct the respondent to reschedule the exam of the petitioner, which was held on 10.12.2025, wherein, the petitioner was not permitted to attend the same.

e) Stay the operation of the detention order during pendency of the present petition and allow the petitioner to appear in rest of the exams. ...”

2. The brief facts of the case are that the petitioner is a fifth-semester BMS student of Shaheed Sukhdev College of Business Studies, University of Delhi, and was detained from appearing in his fifth-semester examinations, but the present matter is confined to one paper of the fifth semester.

3. The petitioner was informed *vide* email dated 05.12.2025 that he would not be permitted to appear in the examinations, which commenced from 10.12.2025. The prescribed attendance requirement, as relied upon by the respondent-College, is 66.67%. The petitioner had attendance of 58.558% in the fifth semester though the respondent-college states that the shortfall was 16.52%, and 46.53% in the fourth semester.

4. The petitioner was also working with the Incubation Cell of the respondent-college and claims entitlement to the attendance benefits available to students associated with the said Cell.

5. The petitioner has thereafter appeared in the sixth semester and has maintained adequate attendance therein. He has also participated in the



sixth-semester examinations.

6. The petitioner states that his attendance has been affected by medical and psychological difficulties which, according to him, commenced around 2020. In the fourth semester, despite being short of attendance, the petitioner was permitted to take the examinations after a faculty member, Dr. Mona Verma, Associate Professor, took responsibility for him and recorded his improvement. A recommendation was also made on his behalf for consideration of relaxation in attendance.

7. The petitioner thereafter sought reconsideration of the decision through a representation/email dated 09.12.2025. The said request was rejected by the respondent on the same date and the petitioner was consequently unable to appear in the examination scheduled for 10.12.2025.

8. It is the case of the petitioner that in these circumstances the decision to detain him was arbitrary and discriminatory, particularly in view of his improved attendance, the circumstances relating to his health, the recommendation of the Incubation Cell and the relaxations allegedly extended to other students.

9. Mr. Aggarwal, learned counsel for the petitioner, submits that, on account of non-completion of the course, the career of the petitioner, who has a tentative job offer in hand, may be seriously jeopardised.

10. I am of the view that the present case presents an exceptional difficulty for the petitioner. The petitioner has suffered psychological difficulties, which are borne out from the documents placed on record. At the same time, the petitioner has made a conscious effort to make up his attendance and has, in fact, maintained adequate attendance in the sixth semester.

11. This Court, in exercise of its extraordinary writ jurisdiction, is entitled



to mould the relief so as to advance substantial justice.

12. The power under Article 226 of the Constitution is not confined to examining whether an authority has acted strictly within the four corners of a rule. The jurisdiction is equitable and discretionary, and in an appropriate case the Court can mould the relief to ensure that the application of a rule does not result in an unduly harsh or inequitable consequence. The width of this jurisdiction has been recognised by the Hon'ble Supreme Court in ***Union of India v. Bali Ram, 2026 INSC 689.***

13. This power, however, is required to be exercised with circumspection. The Court does not intend to dilute the requirement of minimum attendance. In the facts of the present case, if the petitioner is not permitted to participate in the fifth-semester examination, his academic progression and, consequently, his career prospects may be seriously prejudiced. The petitioner has already participated and cleared all his 5th semester papers except the one in question. Additionally, he had also cleared his 6th semester papers. Depriving the petitioner the chance of appearing only in one paper in his 5th semester cycle for shortage of attendance, while having cleared all his other papers would be highly inequitable.

14. For the aforesaid reasons, I am of the view that the petitioner ought to be permitted to participate in the fifth-semester examination in the paper of Business Ethics and Governance, as and when the said paper is held, subject to the petitioner fulfilling all procedural formalities other than the requirement relating to attendance.

15. It is further directed that when the results of the fifth semester are declared in February 2027, the result of the petitioner shall also be declared along with the results of the other students.



16. With the aforesaid directions, the writ petition is disposed of.

JASMEET SINGH, J

SEPTEMBER 7, 2026/AS

(corrected and uploaded on 16.09.2026.)