

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH**

**CWP No. 11484 of 2015**  
**Date of decision: 18.08.2015**

Sanjay Kumar

....Petitioner(s)

Versus

State of Haryana & others

...Respondent(s)

**CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA**

Present: Mr.Ajay Vijaraniya, Advocate, for the petitioner.

Mr.Saurabh Girdhar, AAG, Haryana.

Mr. Mohinder Singh, Advocate, for respondents No.2 & 3.

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**G.S.SANDHAWALIA, J. (Oral)**

1. Challenge in the present writ petition is to the non-adding of the internal assessment marks to the Hindi subject of the 1<sup>st</sup> semester of the B.A. course.

2. The petitioner, who had taken admission in the said course in 2011 with the respondent No.4-College, was awarded zero marks in the internal assessment on 23.12.2011, as per Annexure R2/1.

3. It is the case of the respondent-University that the result was declared on 29.09.2012 and the Detailed Marks Card was sent on 03.10.2012. In the reappear examination, held in December, 2012, result of which was declared on 20.07.2013 (Annexure P1), the petitioner failed to clear the Hindi subject, having got 32 marks. On 30.10.2013 (Annexure R1), the respondent-College took the plea that it was a mistake in December, 2011 that the internal assessment could not be sent in the prescribed performa. The University, in its reply, has taken the plea that once the result has been declared, it is not possible to take into consideration or modify the result.

4. Admittedly, the petitioner had never raised any grouse and had sat in the re-appear examination, which he failed to clear in December, 2012 and resultantlly, the subsequent controversy has been raked up through the respondent-College, at a belated stage. In such circumstances, the stance of the respondent-University is well justified. It has been pointed out by counsel for the respondents that the petitioner can re-appear in the examinations of mercy chances for the said subject, which would take place in December, 2015 and December, 2016. In such circumstances, this Court is of the opinion that no relief can be granted to the petitioner. The University, however, shall permit the petitioner to sit in the examinations of mercy chances in the said subject, subject to the payment of usual fees.

5. With the abovesaid observations, the present writ petition is disposed of.

18.08.2015  
**sailesh**

(G.S. SANDHAWALIA)  
JUDGE