

CWP No.23568 of 2014

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

**CWP No.23568 of 2014
Date of decision:10.07.2015**

Pankaj

...Petitioner

Versus

Punjab Technical University and another

...Respondents

CORAM: Hon'ble Mr. Justice Rakesh Kumar Jain

Present: Mr. Aman Bansal, Advocate,
for the petitioner.

Mr. Anant Kataria, DAG, Punjab.

Mr. Tribhuwan Singla, Advocate,
for respondent Nos.1 and 2.

Rakesh Kumar Jain, J.

The petitioner has prayed for a writ in the nature of *mandamus*, directing the respondents to declare his 4th semester result of the Master of Business Administration (MBA) course, which has been withheld by them.

The case of the petitioner is that he got admission in the MBA course in the distance education programme and cleared 1st, 2nd and 3rd semesters. He deposited fee of the 4th semester on 15.03.2014. The University issued date sheet for DEP Examination in the month of April, 2014. The petitioner was issued roll number and he appeared in all the 5 examinations held on 03.05.2014, 09.05.2014, 19.05.2014, 22.05.2014 and 26.05.2014. The result of the 4th semester was declared by the University on 01.09.2014, but result of the petitioner was withheld, which has not been declared despite the fact that the petitioner had even made a representation

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and hence, the present writ has been filed.

After notice, reply has been filed on behalf of respondent no.1 in which it is averred that the petitioner has opted for the same subjects in the 4th semester as a specialization group which he has opted in the 3rd semester, but as per the University regulations, a student who has opted for a specialization subject in the 3rd semester, cannot opt the same subjects in the 4th semester. In this regard, the course module of the MBA (Master of Business Administration) has also been referred to and relevant part thereof is reproduced as under:-

Semester 3		
CODE	SUBJECT	PAPER ID
MBA-301	Applied Operations Research	B0211
MBA-302	Corporate Legal Environment	B0212
MBA-303	Major I	
MBA-304	Major II	
MBA-305	Major III	
MBA-306	Seminar on Management Information Systems*	
MBA-307	Viva-Voce*	

Semester 4		
CODE	SUBJECT	PAPER ID
MBA-401	Strategic Management	B0216
MBA-402	Project Evaluation & Implementation	B0217
MBA-403	Major IV/Minor I	
MBA-404	Major V/Minor II	
MBA-405	Major VI/Minor III	
MBA-406	Final Research Project and Viva-Voce*	

* Practical/Internal Subjects*

It is further submitted that as per the syllabus scheme (1st to 4th semester) for the Master of Business Administration, implemented from

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August 2005 onwards, the student of the 3rd semester has to make the choice of any three subjects from a particular specialization group i.e. either from Marketing, Finance, HRM or IT and in the 4th semester, he has to undertake the remaining three subjects of the same specialization group which he/she had opted in the 3rd semester and in that case he/she would be awarded only Major specialization and not minor and if he undertakes three subjects of some other specialization group than opted in the 3rd semester, then he would be awarded Major specialization in the stream in which he has conducted his 'Final Research Project' and Minor specialization for the other stream. The relevant part of the syllabus scheme is reproduced as under:-

“Major/Minor Specialization:

* In 3rd semester the student will have the choice of choosing any three subjects from a particular specialization group i.e. either from Marketing, Finance, HRM or IT.

* In the 4th semester

* The student can undertake the remaining three subjects of the same specialization group which he/she opted in the 3rd semester. In this case he/she will be awarded only Major specialization and no minor.

OR

* The student can undertake three subjects of some other specialization group than he/she opted in the 3rd semester. In this case he/she will be awarded Major specialization in the stream in which he/she has conducted his/her 'Final Research Project' and Minor specialization for the other stream.”

The petitioner, however, chose the same subjects, namely,

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Services Marketing, Consumer Behaviour and International Marketing in the 4th semester as well which were chosen by him in the 3rd semester as major subjects though he was supposed to choose the remaining 3 subjects in the same specialization group which he had opted in the 3rd semester or the 3 other subjects of some other specialization group which he had not opted in the 3rd semester, but in the earlier case he would have been awarded only major specialization and not minor whereas in the latter case he would have been awarded major specialization in the stream in which he has conducted his final research project and minor specialization for the other stream. However, in any case, the petitioner could not have chosen the same specialization subject in the 4th semester which he had chosen in the 3rd semester and as such, his result of 4th semester has been rightly withheld by the respondents as he cannot be awarded any degree either in the major specialization or in the minor specialization of the other stream.

The petitioner, in any case, has to appear again, choosing either the remaining three subjects of the same specialization group which he had cleared in the 3rd semester or any other 3 subjects of some other specialization group which was not opted by him in the 3rd semester, but insofar as the present case is concerned, no relief can be granted to the petitioner.

Consequently, the present writ petition is hereby dismissed being denuded of any merit.

No costs.

July 10, 2015
vinod*

(Rakesh Kumar Jain)
Judge