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

+ W.P.(C) 10255/2015 and CM No.25496/2015 (interim relief)

HIMANSHU PAL Petitioner

Through: Mr. Madan Sagar, Advocate

versus

UNIVERSITY OF DELHI & ANR Respondents

Through: Mr. Mohinder J.S. Rupal, Advocate

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

% **05.11.2015**

1. Mr. Rupal has returned with instructions. Learned counsel has argued based on the record as the facts are not in dispute.

1.1 Mr. Rupal says that there is no dispute about the fact that upon revaluation, the petitioner was declared as having passed the BA (Programme) course undertaken from the Delhi College of Arts and Commerce, South Campus, University of Delhi.

2. Mr. Rupal has also accepted the fact that the revaluation result which was declared on 05.10.2015, in respect of some students, which included, the petitioner herein, modified the result declared qua them on 04.07.2015.

2.1 It is, therefore, an admitted position that the petitioner was declared passed with effect from 04.07.2015.

2.2 In this context, it is also accepted that the petitioner who sat for the LL.B. entrance examination for the academic year 2015-2016, had obtained on an overall basis 3338th rank and in the OBC category 549th rank.

3. Quite clearly, the petitioner was not given admission though

called for counselling on 15.07.2015 by the respondents only on the ground that his revaluation result for the undergraduate course had not been declared before the date of closure for the admission.

3.1 In my opinion, the revaluation result would quite clearly relate back to 04.07.2015. The blame for the delay cannot be put at the doorstep of the petitioner.

4. Mr. Rupal relies upon the judgment of this court in the case of ***S.N. Singh Vs. Union of India, 106 (2003) DLT 329*** to contend that the petitioner would fall short of attendance, if admitted. Even according to Mr. Rupal, the said judgment does not relate to a case of revaluation, and therefore, in my opinion, is distinguishable on facts. It is not, as if, the petitioner did not attend classes which, he was otherwise, required to attend.

5. In these circumstances, the writ petition is allowed in terms of prayers (a) and (b), with a direction to the respondents to hold the necessary remedial/extra classes, if found necessary.

6. I may only indicate that I have come across similar instances of lack of co-ordination within the same University in other matters as well, such as, WP(C) 9004/2015, dated 24.09.2015, titled: ***Pratibha Singh Vs. University of Delhi*** and WP(C) 9393/2015, dated 13.10.2015, titled: ***Shubham Prasad Vs. University of Delhi***. Clearly, the respondents need to put their house in order and ensure that the calendar for admission to the LLB course is structured in a manner that it takes into account such like eventualities. This problem attains egregious proportions when, the undergraduate degree, on which, the examinee seeks to place reliance, is issued by

the same university i.e. the University of Delhi, as in the case.

6.1 In view of the fact that the main relief has been granted, no orders need to be passed in CM No. 25496/2015. The said application is, accordingly, disposed of.

7. Dasti under the signatures of the Court Master.

RAJIV SHAKDHER, J

NOVEMBER 05, 2015

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