

(109) IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

LPA No.662 of 2016 (O&M)
Date of decision: 25.04.2016

Hardeep Kaur

..... Appellant

Versus

The Vice Chancellor, Guru Nanak Dev
University and others.

..... Respondents

CORAM: HON'BLE MR. JUSTICE S.S. SARON.
HON'BLE MR. JUSTICE GURMIT RAM.

Present: Mr. R.K. Bansal, Advocate for the appellant.

S.S. Saron, J.

The appeal has been filed by the appellant Hardeep Kaur against the judgment and order dated 8.4.2016 passed by the learned Single Judge in CWP No.6713 of 2016.

The appellant by way of a petition before the learned Single Judge prayed for quashing the letter dated 1.4.2016 by which special chance to appear in the LLB 3 years Course in 6th Semester during the Session 2015-16 had not been granted.

The appellant is a student of final year 6th Semester of Law at Guru Nanak Dev University, Amritsar ('University' – for short). She joined the three years LLB Course in the said University in 2011. Due to shortage of lectures, she was detained in the 4th Semester in 2013. She then got readmission in the 4th Semester. Thereafter, in the Session 2014-15 after passing her 4th Semester, she was promoted to the 5th Semester. Again she fell short of lectures as according to her, she could not attend the lectures due

to unavoidable circumstances. Her roll number was detained by the Department. Thereafter, the appellant got readmission again in the 5th Semester in 2015 with the permission of the Dean Academic Welfare of the University. She was promoted to the 6th Semester after passing her 5th Semester. According to the appellant, she cleared all her Semesters of 1st year and 2nd year, besides, she also appeared in minor I, minor II and major exams of her 5th Semester. She was regularly attending her 6th Semester classes and also appeared in minor I exams. The department, however, asked the petitioner to again get permission for the 6th Semester in minor II exams and they did not allow her to sit in the exams of minor II as under the Rules of Credit-Based Continuous Evaluation Grading System (Annexure P-5), the duration of Course was 4½ years but this was her fifth year due to two years gap.

The learned Single Judge in his impugned order recorded that counsel for the petitioner (now appellant) had admitted that the maximum duration of time to complete the LLB three years Course of the University was of 4½ years and the petitioner (now appellant) was in the 5th year. She had failed to show any provision for grant of mercy chance given by the Vice Chancellor. Para 10 of the Credit-Based Continuous Evaluation Grading System (Annexure P-5) inter alia mentions that where the duration of the Course is three years, the maximum time to complete the degree Course is 4½ years. In the present case, the period of 4½ years for the three years LLB Course of the University is admittedly over.

Learned Counsel for the appellant prays that the case of appellant is one of undue hardship and therefore, a mercy chance is

liable to be given to her by the Vice Chancellor of the University.

However, no Rule for grant of mercy chance has been shown.

In the circumstances, we find no merit in the appeal and the same is, accordingly, dismissed.

(S.S. Saron)
Judge

(Gurmit Ram)
Judge

25.4.2016
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