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

+ LPA 119/2016

BRAHMA PRAKASH Appellant

Through: Appellant-in-person.

Versus

UNIVERSITY OF DELHI Respondent

Through: Mr. Mohinder J.S. Rupal &

Ms. Simran Jeet, Advs. for University of Delhi.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

% **23.02.2016**

1. The appellant/writ petitioner was denied admission to the LL.M. course 2014-15 on the ground that the result of the 6th Semester of the Supplementary LL.B. exam had not been declared by the last date fixed for admission to the LL.M. course for the Academic Year 2014-15. However, he joined the LL.M. course 2015 batch having succeeded in the entrance examination held in the year 2015-16. Thereafter, he filed W.P.(C) No.85/2016 on 22.12.2015 seeking a direction to admit him in 3rd year of LL.M. course of the Academic Year 2016-17 and to permit him to appear for examinations and clear the papers accordingly contending that denial of admission to join LL.M. course for the Academic Year 2014-15 was illegal. His case is that he cannot be held at fault for non-declaration of the result by the last date fixed for admission to LL.M. course and denial of admission on that ground is illegal. He sought to rely upon the order of this court dated 19.10.2015 in W.P.(C) No.8497/2015 in which one Rajesh Roshan who was

also denied admission into LL.M. course on the very same ground was granted relief by this court and the respondents were directed to grant him admission.

3. The learned Single Judge by order dated 08.01.2016 dismissed the writ petition and declined to grant relief to the petitioner on the ground that he failed to approach the court for an appropriate relief at the earliest. Hence, the present appeal.

4. Admittedly, the writ petition was filed on 22.12.2015 basing on the relief granted to a similarly situated person on 19.10.2015 in W.P.(C) No.8497/2015. Moreover, the petitioner had already joined the LL.M. course of 2015-16. Therefore, the learned Single Judge is justified in declining to grant the relief to the petitioner. The discretion exercised by the learned Single Judge in the facts and circumstances of the case cannot be held to be erroneous or illegal and therefore the interference in an intra-court appeal is not warranted.

Accordingly, the appeal is dismissed.

CHIEF JUSTICE

JAYANT NATH, J

FEBRUARY 23, 2016
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