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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 10837/2015, CM Nos. 27879/2015 & 9143/2016**
MITTHAN LAL

..... Petitioner

Through: Counsel (appearance not given)

versus

VICE CHANCELLOR, UNIVERSITY OF DELHI & ANR

..... Respondent

Through: Mr. Amit Bansal, Ms. Manisha Singh,
Ms. Seema Dolo & Ms. Surbhi
Mehta, Advs. for Delhi University

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

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09.12.2016

Adjourned to 22nd March, 2017, on account of Full Court Reference to
bid farewell to Hon'ble Ms. Justice Sunita Gupta.

V. KAMESWAR RAO, J

DECEMBER 09, 2016/ak

1. After the aforesaid order was signed, the learned counsel for the petitioner mentioned the matter at 2.30 pm, when I sat in the Court for hearing in another writ petition.
2. Learned counsel for the petitioner states that the petition requires urgent hearing as the exams of the 3rd and 5th shall be held, with effect from 20th December, 2016.

3. Mr. Amit Bansal, learned counsel appearing for the respondents state in view of the urgency, expressed by the learned counsel for the petitioner, he has no objection if the matter is heard today.
4. In view of the submissions made by the learned counsel for the parties, the order adjourning the petition to 22nd March, 2017 is recalled.
5. I have heard the learned counsel for the parties.
6. Learned counsel for the petitioner states, even though, this Court had permitted the petitioner to sit in the 5th semester exams on November 24, 2015, still the petitioner is ready to appear again in the exams of 5th semester, only to obviate a circumstance when, later, on the opening of the sealed cover, it is found that the petitioner has not cleared certain 5th semester papers. Learned counsel for the petitioner also states that the petitioner also be permitted to write the backlog of papers of 3rd semester by directing the University to declare the result of the same, which are in a sealed cover.
7. Mr. Amit Bansal, states since the punishment period is over, the petitioner is at liberty to take the 5th semester exams afresh. He concedes that the University had allowed the petitioner to write the backlog of certain papers of 3rd semester in the month of November, 2015, even though the punishment was in vogue during that period.
8. This Court is of the view, as the penalty period is over, there is no impediment for the petitioner to write the 5th semester exams afresh and the backlog papers of 3rd semester, if the petitioner had not cleared the same. Accordingly, the University is directed to declare the result of the backlog papers of 3rd semester immediately. If the petitioner has cleared all the backlog papers of the 3rd semester, then the necessary consequence shall

flow but if he has not cleared some/all the backlog papers of the 3rd semester, the petitioner shall be at liberty to appear in those papers and the University shall permit him.

9. It is also made clear, the results of the 2nd, 4th and 6th semester, which were kept in sealed cover and opened in the Court during the hearing on 9th November, 2016 shall be published by the University.

10. Learned counsel for the petitioner, on instructions from the petitioner, states this order would satisfy the petitioner and he would not press the writ petition for any other relief. The petition is disposed of, as such.

11. The date of 22nd March, 2017 stands cancelled.

Dasti.

V. KAMESWAR RAO, J

DECEMBER 09, 2016/ak