

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

CWP No.20465 of 2016 (O&M)

Date of decision : 11.07.2017

Vikas Saini

..... Petitioner

versus

Kurukshetra University, Kurukshetra and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Neeraj Sharma, Advocate
for the petitioner.

Mr. A.S.Virk, Advocate
for respondents No.1 and 2.

Mr. Aman Pal, Advocate
for respondent No.3.

AJAY TEWARI, J.(ORAL)

By this petition the petitioner has claimed that there was a mistake in sending the internal assessment of B.A., LLB paper of 905 A and the marks were wrongly recorded as “1” instead of “11”.

In reply this fact was accepted by the respondent No.3-College.

However, on 17.04.2017, the following order was passed :-

“Counsel for respondent No. 3 is directed to produce the original record of the 'Internal Assessment' of the petitioner on or before the next date of hearing.

Adjourned to 26.04.2017.”

Despite having grant of 3-4 opportunities the record was not produced. Thereafter on 22.05.2017 it was agreed that counsel for the

petitioner has given up the prayer for increase of marks but had sought permission to take the final examination of paper 905 A again despite the fact that the maximum time within which he could take that exam had lapsed.

Learned counsel appearing for respondents No.1 and 2 has very fairly stated that though the maximum time to complete the degree has lapsed yet in view of the fact that it is only because of the respondent No.3 not retaining the original record that the case of the petitioner could not be considered, he has instructions to inform the petitioner to move an application for mercy chance before the Vice Chancellor-respondent No.1 and the same shall be decided in view of the fact mentioned above.

Learned counsel for the petitioner has accepted this offer but states that keeping in view the stakes of the petitioner some time be prescribed within which the order has to be passed.

I find this to be a fair request. In the circumstances, it is directed that in case the petitioner moves an application for mercy chance the same be decided within a period of one month thereafter.

Petition stands disposed of in the above terms.

Since the main case has been decided, the pending civil miscellaneous application, if any, also stands disposed of.

(AJAY TEWARI)
JUDGE

11.07.2017

pooja sharma-I

Whether speaking/reasoned
Whether Reportable :

Yes/No
Yes/No