

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.20471 of 2017

Date of Decision: September 14, 2017

Dharminder

.....Petitioner

versus

Maharshi Dayanand University, Rohtak and another

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SUDHIR MITTAL.

Present: Mr.R.S.Kundu, Advocate, for the petitioner.

Mr.Anurag Goyal, Advocate, for respondent No.1.

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Surya Kant, J. (Oral)

The petitioner was admitted in the course of Master of Tourism Management in the year 2014 but he has not been able to clear some of the semester examinations. Meanwhile, he applied afresh in the same course with a revised nomenclature now known as 'Master of Travel and Tourism Management'. His admission has been cancelled keeping in view the fact that he is an old student of the same curriculum and is eligible to re-appear in the original course with the permission of the Vice Chancellor in December, 2017 or otherwise in the year 2018. The question before us is whether his fresh admission has been rightly cancelled or not?

Clause 13 of the General Rules of Examination of the respondent-University reads as follows:-

“....13. An applicant who fails in the examination, or fails to appear in the examination, and who is otherwise eligible to appear in the examination as an ex-student, shall not be admitted as regular student. In exceptional cases, however, where such an applicant is a foreigner studying under the Cultural Scholarship Scheme of the

Government of India etc., re-admission may be allowed.....”

In the light of the aforesaid Rule, we are satisfied that the petitioner is not entitled to be admitted as a regular student. However, he shall be granted permission to appear in the examination of the original curriculum in December, 2017, for which the petitioner will have to submit the application on time. The fee deposited by the petitioner at the time of fresh admission be also refunded to him.

The writ petition stands disposed of accordingly.

[SURYA KANT]
JUDGE

September 14, 2017		[SUDHIR MITTAL]
<i>mohinder</i>		JUDGE
Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No