

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

388

CWP No.26626 of 2015 (O&M)
Date of Decision : 02.12.2017

Gagan Pawar and others

..... Petitioners

Versus

Panjab University and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Rohit Jindal, Advocate for
Mr. Sunil K.Nehra, Advocate
for the petitioners.

Mr. Indresh Goel, Advocate
for the respondents.

AJAY TEWARI, J. (Oral)

This petition has been filed against the action of the respondents-University in seeking to recover enhanced fees from the petitioners.

On 19.12.2015 the following order was passed :-

“Inter alia submits that as per the notice put up of the fee structure (Annexure P1 colly.), at the time of admission to the LL.M. Course, for both categories (Two Years Course-Evening and one year course) for students of the session 2015-16, the petitioners were required to deposit a sum of Rs.43,417/- and Rs.31,600/- (Annexure P1 Colly). The said amounts were duly deposited and therefore, the fees for the complete session was duly taken. However, additional demand is, now, being made which is to be paid by 31.12.2015, as per notice (Annexure P2), which is alleged to be to the tune of

Rs.32,000/-. Reference is also made to Annexure P2 to show that a meeting had been held on 30.11.2015, regarding the wrong information put up on the website.

Notice of motion.

On the asking of the Court, Mr.Indresh Goel, Advocate, accepts notice on behalf of the respondents and prays for time to file reply.

Adjourned to 18.01.2016.

In the meantime, on account of non-deposit of the additional fees by the petitioners, their names will not be struck off the rolls.”

However, after the petitioners took admission the University started demanding higher fees. As per the petitioners this being contrary to the amount mentioned in the prospectus could not be recovered from them. The case of the respondents-University on the other hand is that actually the fees which were approved by the competent authority i.e. the syndicate and the senate was at a higher rate but it was due to some mistake by the officials of the Law Department that the lower fees was mentioned on the notice board. The respondents have also placed on record the necessary material (Annexure R-I) collectively showing the determination of fees by the senate and the syndicate for the courses (for one year and two year).

In my opinion the claim of the petitioners can not succeed. A perusal of the document (Annexure R-I) clearly shows that the competent authority had decided a particular fees but it was by mistake that some lesser figure was pasted on the notice board per semester. The actual mistake which was made was that the expression 'per semester' was not mentioned. In my considered opinion, the prayer of the petitioners can not be accepted and because of the mistake of one typist the decision of the competent

authority cannot be set at knot. However, that would not also absolve the respondents from blame. Resultantly, even while dismissing the petition the respondents are directed to pay Rs.5,000/- as damages to each of the petitioner.

Petition stands dismissed.

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

(AJAY TEWARI)
JUDGE

02.12.2017

Pooja sharma-I

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No