

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

109

CWP-27861-2017

Date of Decision : 07.12.2017

Gursharanpreet Kaur

..... Petitioner

Versus

Panjab University, Chandigarh and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

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

AJAY TEWARI, J. (Oral)

The petitioner is a student of the respondent No.3-Panjab University Regional Centre, Ludhiana in the subject of 3 years LL.B. Course having taken admission in July, 2016. As per her case, since her Aunt had passed away she appeared in only 2 of the 5 exams of Ist Semester in December, 2016, out of which she cleared only 1 exam. At the time she had taken admission in the IInd Semester there was a provision that she could appear in Ist Semester exam alongwith IInd Semester exam. However, in the middle of the course the respondent No.1-University applied Odd-Even Rule. As per this rule the reappear exams of the odd semester could be taken only with the subsequent odd semester while the reappear exams of the even semester could be taken only with the subsequent even semester. Unfortunately, just before the examination of IInd Semester she met with an accident, but despite that she took the exams but could clear only 3. This meant that out of 10 exams of the Ist and IInd

Semester she could clear only 4. Now as per the University Regulations

she is barred from appearing in IIIrd Semester examination because she has not cleared 50% of the papers. Another complication which has arisen is that she has approached this Court after the exams have started.

In my opinion, there is no legal fault with the action of the respondent-University. However, I have been informed that the Vice-Chancellor of the respondent No.1-University has the power to condone the rigor of the said provisions and he can permit the petitioner to take the IIIrd Semester examination. In this connection, it is stated that the petitioner has moved a representation (Annexure P-4) to the Vice-Chancellor as far back as on 03.11.2017 but no decision has been taken thereon.

Consequently, it is directed that the petitioner appears before the Vice Chancellor of the respondent No.1-University at 9.30 A.M. tomorrow i.e. 08.12.2017 so that he is able to hear her by granting any time during the day. In view of the urgency of the situation, the Vice Chancellor of the respondent No.1-University is requested to decide her prayer tomorrow itself.

Petition stands disposed of in the above terms.

Certified copy of this order be given to the counsel for the petitioner under the signatures of the Bench Secretary.

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

December 07, 2017
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(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No