

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

CWP No.8349 of 2017

Date of Decision:28.04.2017

Pardeep Kumar Petitioner

Vs.

**The Registrar, Guru Nank Dev University,
Amritsar and another Respondents**

CORAM:- HON'BLE MR. JUSTICE RAKESH KUMAR JAIN

Present:- Mr. D.D. Sharma, Advocate for the petitioner.

 Mr. G.B.S. Dhillon, Advocate for respondent No.1.

 Mr. A.P.S. Mann, Advocate and Mr. Daman Dhira,
Advocate for respondent No.2.

RAKESH KUMAR JAIN, J.(Oral)

 This petition is filed for the issuance of a writ in the nature of mandamus seeking direction to the respondents to issue roll number to the petitioner and further allow him to appear in the 6th Semester (3rd Year) examination which is scheduled to be held in the month of May, 2017.

 Admittedly, the petitioner was disqualified for two years to appear in any examination of the University under the Ordinance 10(a) read with Ordinance 11.1(b) relating to unfair means cases of GNDU Calendar (2008), Vol.2. The said period is to expire on 31st May, 2017. The anxiety of the petitioner is that if he did not appear in the examination in the month of May, 2017, then he would complete five years in the Course and would not be in a position to appear further.

 On the other hand, counsel appearing on behalf of the respondents has submitted that since the petitioner has been disqualified

for a period of two years, which would complete on 31.5.2017, therefore, he cannot be allowed in any case to appear in the examination in the month of May, 2017. It is also submitted that in order to appear in the examination which is scheduled to be held in the month of May, 2017, the petitioner was required to fill the form, after paying the requisite examination fee etc., in the month of March, 2017 but the said date has already expired. Therefore, at this stage, the petitioner cannot be allowed by the University/ College to take the examination in the month of May, 2107.

I have heard both the counsel for the parties and after examining the available record, am of the considered opinion that no relief can be given to the petitioner in the present petition because as per the Ordinance of the university, two years punishment is the minimum which is going to expire on 31.5.2017 and until and unless the said blot is over, the petitioner cannot seek permission to appear in any examination of the University as he has been debarred for two years. Moreover, the cut-off date for the purpose of applying for the examination is already over and the petitioner has not applied for the examinations which are to be held in the month of May, 2017. Hence, I do not find any merit in this petition.

Dismissed.

April 28, 2017
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(RAKESH KUMAR JAIN)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No