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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 2925/2017

DIGVIJAY SINGH CHAUHAN

..... Petitioner

Through: Mr. Vijay Kasana and Ms. Manu
Padalla, Advs.

versus

UNIVERSITY OF DELHI AND ANR

..... Respondents

Through: Mr. Mohinder J.S. Rupal and Ms.
Disha Malhotra, Advs.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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12.05.2017

Petitioner's grievance is that he has not been permitted to appear in the 6th semester of LLB examinations by the respondents, that is, Faculty of Law, University of Delhi.

Learned counsel for the respondents submits that firstly, petitioner did not appear in the 5th semester examination, thus, could not have admitted to 6th semester; secondly, petitioner took up the employment in Bangalore, therefore, cannot pursue regular course of Delhi University; thirdly, name of the petitioner was removed from the attendance register on 1st March, 2017, when respondent no.2 came to know that petitioner had taken up an employment in Bangalore and fourthly, petitioner has not fulfilled the criteria of minimum attendance of 70% as per the Attendance Rules as

stipulated in the University of Delhi Ordinance. Therefore, petitioner cannot be permitted to sit in the examinations on four counts.

Learned counsel for the petitioner submits that petitioner had attended the classes of 6th semester even though he had joined his duties at Bangalore, since he had been taking leave from his office from time to time for attending the classes. It is further submitted that petitioner meets the attendance criteria.

It is noted that petitioner has failed to produce the leave certificates issued by his employer to support the period when he was on leave to corroborate that he has attended the classes in Delhi.

Be that as it may, in my view, petitioner has rightly not been permitted to appear in 6th semester examination since his aggregate attendance was only 20.31 % in view of the removal of his name from the attendance register. However, it appears that petitioner's attendance was still marked in the attendance register even after the removal of his name. Even if this attendance is taken into consideration, his total attendance comes to only 57.3%, as per the signed statement of calculation of attendance produced by the respondents' counsel. Since petitioner has failed to fulfil the attendance criteria, he has been rightly not permitted to appear in

the examinations. I need not to go into the other pleas since the petition is liable to be rejected on this ground only.

Accordingly, writ petition is dismissed.

Dasti.

A.K. PATHAK, J.

MAY 12, 2017

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