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IN THE HIGH COURT OF DELHI AT NEW DELHI

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Judgment delivered on: 31.05.2017

+ W.P.(C) 3724/2017

KOMAL SHARMA

..... Petitioner

versus

**GURU GOBIND SINGH, INDRAPRASTHA UNIVERSITY
& ORS**

..... Respondents

Advocates who appeared in this case:

For the Petitioner : Mr. Laxman Singh, Advocate.

For the Respondent : Mr. Vaibhav Kalra with Mr. Jasbir Bidhuri, Advocates
for respondent No.1.

Mr. K.R..Sunder Rao, Advocate for respondent Nos.2
and 3.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

JUDGMENT

31.05.2017

SANJEEV SACHDEVA, J. (ORAL)

W.P.(C) 3724/2017 & CM No.16387/2017 (for directions)

1. The petitioner by the present petition seeks a direction to the respondent No. 1 to direct respondents Nos. 2 & 3 to allow the petitioner to attend classes and to appear in the semester examination

and also to shift the petitioner to some other institute affiliated to the respondent No. 1.

2. The petitioner is a student of law and was admitted in the Fairfield Institute of Management and Technology, managed by respondent No. 2, supervised by respondent no. 3 and affiliated to respondent no. 1 university.

3. The petitioner, was not allowed to attend her classes on account of an alleged incident involving the petitioner and some teacher of the respondent No. 3 – Institute.

4. The incident is completely denied by the petitioner. The petitioner has been requesting the respondents 2 & 3 to permit the petitioner to attend classes, however, since 13.02.2017, petitioner was not permitted to enter the College by respondent Nos.2 & 3.

5. The petitioner, on account of the said reason was not in a position to attend classes and complete her attendance. The petitioner has also not been allowed to take the Sixth Semester Examination.

6. Learned counsel appearing for respondent Nos.2 & 3 submits that respondent Nos.2 & 3 were constrained to take the said action on account of the behaviour of the petitioner.

7. Both the petitioner as well as respondent Nos.2 & 3 deny the allegations and counter-allegations being made.

8. Without going into the controversy and as the issues involves the career of the petitioner, who is proposing to take up the career of law, in the peculiar facts and circumstances of the case, the respondent No.1 was directed to examine as to whether the petitioner could be promoted to the seventh semester and permitted to take the examination of the sixth semester along with a later semesters and also to consider whether the petitioner could be shifted to some other institute affiliated to the respondent No.1.

9. Learned counsel appearing for the respondent No.1 submits that, in view of the peculiar facts and circumstances of the case that the petitioner was prevented from attending classes and from taking the examination by the institute, a decision has been taken to permit the petitioner to be promoted to the seventh semester and to take the examination of the sixth semester alongwith the eighth semester.

10. With regard to the shifting of the petitioner to some other institute, it is submitted that the petitioner would be required to make an application to the respondent No.1 and, on such an application being made, endeavor would be made to find out if there is any availability in the fourth year i.e. the seventh semester onwards in some other affiliated institutes and, in case of availability, appropriate orders would be passed permitting the petitioner to be shifted to the said institute.

11. Learned counsel for the petitioner submits that the petitioner shall be approaching the respondent No.1 with an application within two weeks. Learned counsel appearing for the respondent Nos.2 and 3 submits that he has no objection to the above course being adopted.

12. The petitioner, who appears in person, as well as the counsel for the respondent Nos.2 and 3 assure that even if the respondent No.1 is not in a position to shift the petitioner to some other institute, the parties shall maintain cordial relations and the disputes in the past as well as in this petition, will not come in the way of the petitioner completing her education.

13. The writ petition is disposed of in the above terms.

14. This Court appreciates the gesture shown by the parties as well as the counsel in amicably resolving the dispute.

15. Since the respondent No.1 has taken the decision in the peculiar facts and circumstances of the case, this order shall not be treated as a precedent.

16. *Dasti* under the signatures of the Court Master.

SANJEEV SACHDEVA, J

MAY 31, 2017
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