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

+ W.P.(C) 6654/2017 and CM No. 27675/2017

ALAKSHENDRA TYAGI

..... Petitioner

Through: Mr Gajendra Giri and Mr D.K.
Goswami, Advs.

versus

THE VICE CHANCELLOR DELHI UNIVERSITY AND ORS

..... Respondent

Through: Mr Amit Bansal and Ms Seema Dolo,
Advs for R-1 and 2

CORAM:

HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

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04.08.2017

The petitioner is aggrieved by the fact that although he had qualified in his theory examination in the 5th Semester of B.Com (Pass) Course which he had undertaken from respondent No. 3 / College; he not having qualified in the practical examination, his degree has been withheld; although he had been promoted to the 6th Semester and passed in 6th Semester but because of his having failed in the practical examination of 5th Semester, the degree has not been given to him. His additional submission is that the guidelines for the Undergraduate Courses clearly show that there will be no supplementary examination for an Undergraduate Course; meaning thereby the petitioner would loose out on one year. He is aggrieved.

Respondent Nos. 1 and 2 have put in appearance. Learned counsel for respondent Nos. 1 and 2 points out that the guidelines for Undergraduate Courses (Page 22 of the paper book) are clear which clearly state that a person has to get 40% in the practical and 40% in the theory examination, separately. Although the petitioner in the 5th Semester had qualified for 40% in the theory examination, yet admittedly even as per his own case, he had 12 marks out of 40 marks in the practical; not having qualified for the 40% marks, he had failed. Submission of the learned counsel for the respondents being that these guidelines clearly provide that there is no supplementary examination for Undergraduate Courses.

In fact, this had been pointed out by the petitioner himself. This being the guideline and the said guideline not being challenged before this Court, this Court is of the view that the case of the petitioner must fail. He will necessarily have to appear in the 5th Semester before he can be qualified to obtain a degree. The grievance of the petitioner cannot be answered in this petition.

Dismissed.

INDERMEET KAUR, J

AUGUST 04, 2017
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