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

**Judgment delivered on: 30.08.2018**

**W.P.(C) 2644/2018**

**VINOD KUMAR**

..... Petitioner

versus

**UNIVERSITY OF DELHI & ANR.**

..... Respondents

**Advocates who appeared in this case:**

For the Petitioner: Mr. Sanjay Sharawat, Mr. Harsh Ahuja and  
Mr. Kashul Sharma, Advocates.

For the Respondents: Mr. Amit Bansal and Ms. Seema Dolo, Advocates for respondent No. 1/  
University of Delhi.  
Mr. Ankur Chhibber and Mr. Bhanu Gupta, Advocates for Rajdhani  
College.

**CORAM:**

**HON'BLE MR. JUSTICE SIDDHARTH MRIDUL**

**J U D G M E N T**

**SIDDHARTH MRIDUL, J (ORAL)**

1. The present petition under Article 226/227 of the Constitution of India, has been instituted on behalf of a student of Rajdhani College, seeking a direction to the latter, as well as, to the University of Delhi, to update the result of Inorganic Chemistry III (Paper Code 217401).

2. A perusal of the record reveals that, the petitioner has cleared all the 24 theory papers as were required to obtain a degree of B.Sc. (H) Chemistry from the Rajdhani College. It further reflects that, there is no dispute *qua* the 21 out of the 22 practical examinations conducted, which the petitioner has, admittedly, cleared successfully. The solitary grievance is *qua* the practical examination, conducted by the Rajdhani College for Inorganic Chemistry, Paper-III (hereinafter referred to as ‘the subject practical’).

3. It is the case of the University of Delhi that, although the Rajdhani College, which is empowered to conduct the said practical examination has vide communication dated 15<sup>th</sup> September, 2017, intimated to them that, the petitioner appeared in the subject practical in the examinations held in April, 2014 and secured passing marks of 21 out of 50 in the subject practical; the latter have not produced any relevant record for the perusal of the University of Delhi, so as to enable them to verify its correctness. It is in this backdrop that, it is urged on behalf of the University of Delhi that, in the absence of production of relevant material by the Rajdhani College, despite communication in that behalf, the petitioner is not entitled to receive the benefit of the circumstance that he cleared the subject practical.

4. In my considered view, I find myself unable to agree with the submissions made on behalf of the University of Delhi.

5. The Rajdhani College is affiliated to the University of Delhi. The Rajdhani College is empowered under the regulations of the University of Delhi to conduct the subject practical. The Rajdhani College certifies that, they conducted the subject practical in April, 2014, wherein, the petitioner appeared and obtained 21 out of 50 marks. Insofar as, the petitioner is concerned, he cannot be visited with the consequences of the failure and default on the part of the Rajdhani College to produce further relevant material before the University of Delhi, in that behalf. The Rajdhani College as aforestated, vide communication dated 15<sup>th</sup> September, 2017, has already, after due verification, certified the circumstance that, the petitioner appeared in the subject practical and cleared it successfully. In that view of the matter, I am of the considered view that, the present petition seeking update of the petitioner's result in the subject practical must be allowed, *ex debito justitiae*.

6. Consequently, the writ petition is allowed. The official respondents are directed to update the result of the petitioner for Inorganic Chemistry, Paper III (Paper Code 217401) forthwith, under intimation to the petitioner,

by taking into consideration the marks obtained by the petitioner for Inorganic Theory Chemistry Paper-III, held in November, 2016 and without considering the result obtained by the petitioner, when he re-appeared in the subject practical by way of abundant caution in April, 2017

7. With the above directions, the writ petition is disposed of accordingly.
8. No further directions are called for.

**SIDDHARTH MRIDUL**  
**(JUDGE)**

**AUGUST 30, 2018**  
RS



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