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

+ **W.P.(C) 3355/2018 & CM Nos.13250-51/2018**

IVANKA AGGARWAL

..... Petitioner

Through: Mr.Manu Bansal with Mr.Arvind
Kumar & Mr.Sandeep Chhabra,
Advs.

versus

UNIVERSITY OF DELHI AND ANR

..... Respondent

Through: Mr.Mohinder J.S. Rupal with
Mr.Prang Newmai & Ms.Slomita Rai,
Advs. for DU.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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06.04.2018

Vide the present petition, the petitioner who is a student of 5th semester in Law Centre-I, Faculty of Law, Delhi has sought a direction to the respondents to promote the petitioner to 6th semester and also to appear in the forthcoming 6th semester examination.

Learned counsel for the petitioner submits that the petitioner was detained in 5th semester and was not permitted to appear in four papers of the 5th semester due to shortage of attendance.

Learned counsel for the petitioner submits that the petitioner could not attend the classes because she had fallen severe chronic backache which was on account of the fact that she has to come from Meerut to Delhi to attend classes. Learned counsel for the petitioner,

however, concedes that the petitioner does not have the requisite 70% attendance as prescribed in the regulations of the Delhi University as also by the guidelines issued by the Bar Council of India.

Learned counsel for the respondents who appears on advance notice relies on a decision dated 01.12.2018 passed by this Court in W.P.(C) No.8534/2008 titled as ***Komal Jain vs. University of Delhi & Ors.***, to contend that even in cases where the students had suffered from medical problem, this Court had declined to issue any mandamus to the respondents to permit the students by ignoring or relaxing the attendance criteria.

Learned counsel for the petitioner submits that though he is not aware of the exact attendance which the petitioner has obtained, but according to his instructions, the petitioner had attended about 50% classes.

In view of the admitted position that the petitioner does not fulfil the attendance criteria which is mandatory not only as per the regulations of the respondent-Delhi University, but also by the Bar Council of India which also makes it mandatory that in order to qualify L.L.B. Examination, the students must attend at least 70% attendance, the said clause is relaxable to 65% in exceptional cases. Since the petitioner has admittedly about 50% attendance, I do not find merit at all in the present petition and the same is hereby dismissed with no order as to costs. The pending applications also stand disposed of.

REKHA PALLI, J

APRIL 06, 2018/gm