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

Judgment delivered on: 11.07.2018

W.P.(C) 7095/2018

NISHU JHA

..... Petitioner

versus

UNION OF INDIA AND ORS.

..... Respondents

Advocates who appeared in this case:

For the petitioner : Ms. Vijayalaxmi Jha, Advocate.
For the respondents: Mr. Vivekanand Mishra, Senior Panel Counsel for respondent No. 1/UOI.
Ms. Ekta Sikri and Mr. Jasbir Bidhuri, Advocates for respondent No. 2/GGSIPU.

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

J U D G M E N T

SIDDHARTH MRIDUL, J (ORAL)

1. The present petition instituted on behalf of the petitioner under Article 226 of the Constitution of India, prays as follows:-

“Issue appropriate writ/writs, order/orders, direction/directions including the writ of Mandamus, Commanding the respondents especially the respondent No. 2, direct the same to mention Batch year as 2012 in place of 2011 in all concerned documents including marksheets, cumulative marksheet, provisional certificate and after correcting the same issue fresh concerned documents to the petitioner. The Hon’ble Court further, may kindly declare the mentioning of Batch year 2011 in place of 2012 in

Marksheets, cumulative marksheet, provisional certificate, annexed herewith as annexure P-4 Colly and annexure P-5, bad, illegal, inoperative, wrong and unconstitutional and accordingly quash the matter.”

2. The petitioner qualified for admission in Bachelor of Dental Surgery programme (B.D.S Course), conducted on behalf of the respondent No. 2, vide Enrolment No. 01650759111, in the year 2011.
3. It is an admitted position that owing to her ill health, she discontinued her studies and did not pursue the course further.
4. Subsequent upon her recovery, she made a representation to the respondent No. 2, seeking permission to continue her studies in the subject course.
5. The respondent No. 2, vide letter dated 25th September, 2012, had allowed the petitioner to pursue her studies, after granting her re-admission for the academic session 2012-2013.
6. The above action on behalf of the respondent No. 2, was predicated on the circumstance that, owing to her ill health, the petitioner could not continue her studies for the academic session 2011-2012, which had since concluded.

7. The petitioner has been granted re-admission in the academic session 2012-2013 and is pursuing the BDS course, as a regular student.

8. The solitary grievance expressed on behalf of the petitioner, is to the effect that, the admission year in relation to her, is reflected as 2011, in all the relevant documents including mark sheets, cumulative mark sheet, provisional certificate etc., which may cause her prejudice; and that, therefore, in view of her re-admission, the respondent No. 2 should be directed to make necessary modification, to reflect the year of admission as 2012, in place of 2011, in all the relevant documents, as afore-stated.

9. *Per contra*, Ms. Ekta Sikri, learned counsel appearing on behalf of the Guru Gobind Singh Indraprastha University (GGSIPU) states that, in terms of their extant ordinances/regulations, although the petitioner is entitled to complete her BDS programme along with the 2012 batch of students for the BDS course, her enrolment number will remain the same, in view of the circumstance that she was initially granted admission to the subject course in the year 2011.

10. On a specific query of this Court, learned counsel appearing on behalf of the petitioner has not been able to demonstrate the prejudice that would be caused to the petitioner if the year of admission continues to be reflected as

2011, the year in which she actually obtained the admission to respondent No. 2. Even otherwise, the relief prayed for by the petitioner cannot be granted since it is impermissible in terms of the ordinances/regulations governing the GGSIPU.

11. In view of the foregoing, the respondent No. 2 cannot be faulted for reflecting the petitioner's year of admission as 2011 in the subject course.

12. The petition is, therefore, dismissed and disposed of accordingly.

JULY 11, 2018
RS

SIDDHARTH MRIDUL
(JUDGE)