

\$~113

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

Date of decision: 14th December, 2018

+ W.P.(C) 12944/2018
MS. PRIYANKA SINGH Petitioner
Through: Mr. Jagdish Kumar Solunki,
Adv.
versus
UNIVERSITY OF DELHI AND ANR. Respondents
Through: Mr. Mohinder J. S. Rupal and
Ms. Slomita Rai, Adv. for University of
Delhi

**CORAM:
HON'BLE MR. JUSTICE C. HARI SHANKAR**

J U D G E M E N T (O R A L)

% 14.12.2018

1. The petitioner was admitted for the three-year B.Com (Hons.) course in Delhi University in the Laxmi Bai College in July, 2012. She has been unable to clear one of her papers i.e. Business Mathematics till date. The writ petition is predicated on the premise that the period of completion for clearing the said papers is six years. “which shall expire on 31st December, 2018” (as averred in para 3 of the writ petition). On the basis of the such premise, the writ petition seeks issuance of a writ of mandamus to the respondents to allow the petitioner to appear in her Business Mathematics paper, in 2018.

2. Mr. Rupal, learned counsel appearing for the University, submits that the petitioner’s request cannot be granted, as the

applicable provisions of the acts, statutes ordinances governing the University permit a student to appear as a candidate, in the examination, only within a period of six years from the year of admission in the first semester. Specifically, Clause 2 of Ordinance (viii) applicable to the University may be reproduced thus :

“(2) Subject to the provisions of sub-clause (1) above, no person shall be admitted as a candidate for the examinations noted below after the lapse of period specified against each examination:

B.A. (Pass) Part III	Six years after admission to the first year class and five years after admission to the II year Class.
B.Com.(Pass) Part III	-do-
B. Sc. (General) Part III	Six years after admission to the I Year Class and five years after admission to the II Year Class.
B. Sc. (Hons.) Part III	Five years after admission to the I Year Class and four years after admission to the II Year Class.
B.Sc. (Hons.) Home Science	Five years after admission to the I Year Class.
B. Sc. (Home Science)	Six years after admission to the 1 Year Class.
B.A.(Hons.)/B.Com.	Five years after

(Hons.) Part III	admission to the 1 Year Class and four years after admission to the II Year Class.
B.A.(Hons.) Music	-do-
Bachelor of Fine Arts (Painting) Bachelor of Fine Arts (Sculpture) Bachelor of Fine Arts (Applied Art)	Seven years after admission to the I Year of the Course.
M.Sc., M.D., M.S. in the Faculty of Medical Sciences.	Five years after submission of thesis for the Course
M.Ch., D.M., in the Faculty of Medical Sciences	Five years after admission to the I Year of the Course
M.A. (Final) M.A., M.Com.	Four years after admission to the M.A.(Previous) or M.A. Class, as the case may be.
Master of Business Administration (Full-Time)	Four years after admission to the I year of the Course.
Master of Business Administration (Part-Time)	Five years after admission to the I Year of the Course.

3. As the petitioner had secured admission in the B.Com (Hons.)

course in July, 2012, the afore-mentioned period of six years would come to an end in July, 2018, so she, quite obviously, cannot be allowed to appear in the paper in December, 2018.

4. This issue, I may note, is not *res integra*, as it stands concluded by the judgment of a single bench of this Court in *Avdhesh kumar v. Delhi University 2016 SCC Online Del, 1949*.

5. Mr. Rupal also submits that the SLP, preferred against the decision of this Court, also stands dismissed by the Supreme Court.

6. Accordingly, it is not possible for this Court to grant the relief, sought in the writ petition.

7. This writ petition is dismissed with no orders as to costs.

C. HARI SHANKAR, J

DECEMBER 14, 2018

bh