

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

CWP No.2262 of 2019
Date of decision:-30.01.2019

Nitin Kumar

.....Petitioner

versus

Guru Ravidas Ayurved University and another

.....Respondents

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Harjot Singh Mann, Advocate for the petitioner.

TEJINDER SINGH DHINDSA, J.(ORAL)

Challenge in the instant petition is to a communication dated 24.08.2018 (Annexure P-2) issued by the Guru Ravidas Ayurved University, Hoshiarpur, Punjab and addressed to the Principal of Sant Sahara Ayurvedic College, Bathinda, declining the claim of the petitioner herein for grant of a mercy chance to clear two subjects of BAMS, Ist Prof. Examination.

Counsel submits that the petitioner was admitted to the BAMS five and half years degree course in the Session 2015-16. Even though the pleadings and averments made in the petition are rather vague yet counsel apprises the Court that the petitioners had appeared in the First Semester examination conducted in December 2015 and out of five subjects had failed in two of them. Petitioner then availed of the facility of re-appearing in the fail subjects in May 2016. Even in such second attempt/re-appear, the petitioner was declared fail.

Instant petition has been filed in the year 2019. It is clearly a

belated claim that is sought to be set-up. The petitioner has not been diligent to pursue his rights if any. On a specific query having been put, counsel concedes that after having failed in the two subjects even in the reappear examination in May 2016, he was not given admission to pursue the BAMS Course thereafter i.e. the third semester which commenced in July 2016.

That apart counsel has not adverted to any University regulations/ordinance which permits a mercy chance to be granted after a student has availed of the re-appear examination.

There is no merit in the instant petition and the same is dismissed.

(TEJINDER SINGH DHINDSA)
JUDGE

30.01.2019

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No