

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

**CWP-2734-2019 (O&M)
Date of Decision:31.01.2019**

Jabir Hussain

... Petitioner

Versus

State of Haryana & others

... Respondents

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

Present: Mr. D.K. Prajapati, Advocate for the petitioner.

...

TEJINDER SINGH DHINDSA, J. (ORAL)

As per pleadings on record, petitioner was admitted to the B.Ed. Course in the Guru Harkishan College of Education, Jagadhari, Yamuna Nagar in the year, 2012.

Counsel for the petitioner submits that the petitioner has cleared three semesters of the B.Ed. Course and thereafter was even promoted to the 4th Semester. The Roll Number was not being issued by the respondent/College to the petitioner to appear in the 4th Semester Examination and thereafter with the intervention of the District Education Officer, the Roll Number was duly issued.

Apparently, petitioner has not cleared certain subjects of the previous semesters as also of the 4th semester. Even in the re-appear Examinations which the petitioner has availed of, he has not cleared the same.

Instant writ petition has been filed seeking a direction to the respondent/College to refund the entire fee amount that had been deposited by the petitioner as also to pay to him a compensation to the tune of Rs.5 lakhs for ruining his educational career. Yet another prayer raised in the petition is that

the original certificates that had been submitted by the petitioner at the time of seeking admission have not been returned till date.

Having heard counsel for the petitioner at length and having perused the pleadings on record, this Court is of the considered view that the prayer for refund of fee amount and for grant of compensation is without merit.

In the first instance, there is no document/receipt placed on record as regards deposit of fee by the petitioner with the respondent/College. That apart, it is the case of the petitioner himself that having appeared in the semesters examinations, he has not successfully negotiated the same. Even assuming the version of the petitioner to be correct as regards having deposited fee, no rule/regulation/provision has been adverted to and on the strength of which a student is entitled to claim refund of fee particularly in a situation where he has not been able to pursue a particular course of study successfully.

Accordingly, prayer for issuance of directions for refund of fee is declined.

Insofar as return of original certificates of the petitioner is concerned, it would be open for him to approach respondent No.3/College giving out the details of the certificates that had been deposited by him. In the eventuality of any such application being moved, respondent No.3/College would be obligated to consider the same and to take necessary steps in accordance with law.

Petition is dismissed.

31.01.2019

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |