

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

122

CWP No.11737 of 2019

Date of Decision : 10.05.2019

SEERAT GOYAL.

...PETITIONER

V/S

**THE CONTROLLER OF EXAMINATION, PANJAB UNIVERSITY,
CHANDIGARH AND ANOTHER.RESPONDENTS**

CORAM : HON'BLE MR. JUSTICE B.S. WALIA

Present: Mr. Narinder Singh Dadwal, Advocate for the petitioner.
Ms. Alka Chatrath, Advocate for respondent No.1/P.U.
Mr. H.S. Toor, Advocate for respondent No.2.

B.S. WALIA, J. (ORAL)

[1] Reply on behalf of respondent No.2 has been filed in Court today.

The same is taken on record. Copy thereof handed over to the learned counsel for the petitioner, who prays for hearing the case today.

[2] The prayer is not opposed to by learned counsel for the respondents. Accordingly, the writ petition is taken up for hearing.

[3] Writ petition has been filed under Article 226/227 of the Constitution of India, praying for the issuance of a writ in the nature of Mandamus for directing respondent Nos.1 & 2 to issue roll number to the petitioner for B.A. (Honors) (Sixth semester examination) withheld on account of shortage of lectures and alleged misbehavior with a teacher etc.

[4] Case as set up in paragraph No.3 of the writ petition is that due to ill health, the petitioner could not attend classes for which she submitted a medical certificate, besides was a member of the NSS and had never

detained, the petitioner contacted respondent No.2 and submitted apology for her past mistakes besides praying for issuance of roll number and for being allowed to take exams. However, instead of taking a sympathetic view, respondent No.2 issued communication dated 27.04.2019 to respondent No.1 for conversion of her candidature from that of a regular student to a private student for the year 2018-2019 on account of detention due shortage of lectures as per Panjab University Rules.

[5] Petitioner claims that her parents also approached respondent No.2 on 29.04.2019 and apologized on her behalf for her mistakes besides on 30.04.2019 submitted written apology to respondent No.2, who refused to accept and consider the same.

[6] A perusal of representation (Annexure P-4) submitted by the petitioner's parents to the Principal of the College reveals that apart from the apology for the behavior of the petitioner with her teachers, the petitioner was having knowledge of shortage of attendance also. Learned counsel contends that shortage of lectures was required to be condoned due to illness of the petitioner, besides, there were two students whose shortage of lectures was more than that of the petitioner but they had been allotted roll numbers and allowed to take the examination, therefore there was no reason as to why the petitioner could not be allowed to take the examination.

[6] It is in the aforementioned background that the petitioner invoked the jurisdiction of this Court by filing the writ petition on 02.05.2019. The same was listed for motion hearing on 06.05.2019, on which date, Ms. Alka Chatrath, learned counsel put in appearance on behalf of respondent No.1 i.e. Panjab University, while notice was issued to respondent No.2 for 07.05.2019.

No.2 and informed that the benefit of lectures as admissible for period of illness had been given but the shortage of lectures was much beyond the limit of 10% up to which shortage of lectures could be condoned as per rules and regulations applicable.

[7] Faced with the aforementioned position, learned counsel appearing on behalf of the petitioner on instructions from the petitioner and her father, who are present in Court, states that he does not press the writ petition.

[8] In the light of the statement of learned counsel for the petitioner, the writ petition is dismissed as not pressed.

[9] Needless to mention, the petitioner can apply to the respondents for being allowed to appear in the subsequent examination/examinations, subject to her fulfilling the requirements as per rules.

(B.S. WALIA)
JUDGE

May 10, 2019
'Rajneesh'

Whether speaking/reasoned	: Yes/No
Whether reportable	: Yes/No