

\$~29

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

Date of decision: 23rd January, 2019

+ W.P.(C) 6706/2018 & CM No. 25460/2018

DINESH SINGH & ORS Petitioners

Through: Mr. Prashant Singh, Adv.

versus

UNIVERSITY OF DELHI & ANR Respondents

Through: Mr. Mohinder J.S. Rupal with
Mr. Prang Newmai and
Ms. Slomita Rai, Adv.

CORAM:

HON'BLE MR. JUSTICE C.HARI SHANKAR

ORDER (ORAL)

%

23.01.2019

1. Mr. Prashant Singh appearing for the petitioner frankly concedes that this writ petition has become infructuous with the passage of time. He, however, draws attention to the fact that, in the schedule of entrance tests for admission to different UG (Entrance based) PG/M.Phil./Ph.D. courses which were conducted by the University of Delhi in 2018, the examination for B.Ed. Special Education (Visual Impairment) was fixed between 4 pm and 6 pm on 17th June, 2018, simultaneously with various other examinations, i.e. Examinations for (i) M.Phil./Ph.D. in Hispanic, (ii) M.Phil./Ph.D. in Italian, (iii) M.Phil./Ph.D. in French, (iv) M.Phil./Ph.D. in German, (v) M.C.A., (vi) M.Sc. Botany, (vii) M.A. History, (viii) M.A. Urdu, (ix)

M.A. Punjabi, (x) M.A. Sociology, (xi) M.Phil./Ph.D. in Sociology. His submission is that there are a limited number of courses to which visually impaired candidates could aspire, and that if examinations in the said courses are conducted during the same time slot during which the examination for B.Ed. Special Education (Visual Impairment), is held, such candidates would lose the chance of appearing in the said examinations. He, therefore, seeks issuance of a direction, to the respondent not to hold any other examinations, to which visually impaired candidates could aspire, at the time when the examination for B.Ed. Special Education (Visual Impairment) is being held.

2. Needless to say, this Court cannot issue any such direction. While, no doubt, visually impaired candidates are entitled to all sympathy and consideration by Courts, and the Rights of Persons with Disabilities Act, 2016 has also taken their interests into consideration, this Court cannot redirect the schedule for examinations, as fixed by the University, to suit the exigencies of individual candidates or classes of persons. Today, such a grievance may be raised by visually impaired candidates; tomorrow another category of candidates may similarly complain against two examinations or more than one examination, for which they are competent and legible, being held simultaneously. If such claims are to be entertained, it would throw, into complete disarray, the schedule of examinations fixed by the University, which is normally fixed after taking into account various competing considerations, and in the best interests of all students and classes of students.

3. As such, I regret that I am not in a position to issue any such direction, as is prayed for by learned counsel for the petitioner.

4. With the above observation, the writ petition is disposed of as having become infructuous.

JANUARY 23, 2019/kr

C.HARI SHANKAR, J