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

CWP-9855 of 2020 (O&M)

Date of decision: October 01, 2020

Yatin Mehta and others

.....Petitioners

versus

Panjab University, Chandigarh and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. H.S. Rajput, Advocate for the petitioners.

Mr. G.S. Dhillon, Advocate for respondents No.1 to 4.

Mr. Karan Kumar Jund, Advocate for respondent No.5.

Mr. Salil Sablok, Advocate for respondent No.6.

MAHABIR SINGH SINDHU, J

Present writ petition has been filed under Article 226 of the Constitution of India for quashing of press release dated 26.05.2020 (P-2), whereby date-sheet for terminal as well as intermediate examinations (01.07.2020 to 31.07.2020 as per U.G.C. guidelines) was notified by the Panjab University, Chandigarh. Further challenge is to the communication dated 19.06.2020 (P-3) asking the respective colleges to send the details of their students in the prescribed format to the University by 29.06.2020 and also to set aside the Standard Operating Procedure (SOP) dated 27.05.2020 (P-5).

CM-6701-CWP-2020

Application has been filed for placing on record annexures

P-15 to P-23.

For the reasons stated in the application, the same is allowed as prayed for, subject to all just exceptions. Annexures P-15 to P-23 are taken on record. Registry to tag the same at appropriate place.

CM-10066-CWP-2020

Application has been filed for placing on record document on behalf of respondents No.1 to 4 as annexure R-3.

For the reasons stated in the application, the same is allowed as prayed for, subject to all just exceptions. Annexure R-3 is taken on record. Registry to tag the same at appropriate place.

Main case (O&M)

It transpires that co-ordinate Bench of this Court, on 15.07.2020, while issuing notice of motion granted interim stay for conducting final examinations in the month of July, 2020 by the University. Thereafter, on 20.08.2020, the present writ petition along with other cases were adjourned *sine die* to await the decision of the Hon'ble Supreme Court in Writ Petition (Civil) No.724 of 2020 titled as Praneeth K and others versus University Grants Commission (UGC) and others.

Above writ petition has been decided on 28.08.2020 by the Hon'ble Supreme Court and para No.111 of the judgment reads as under:-

“111. In view of our foregoing discussion and conclusion, this batch of cases is disposed of in the following manner:

(1) The prayer to quash the revised guidelines dated

06.07.2020 issued by the University Grants Commission and OM dated 06.07.2020 issued by the Ministry of Human Resource Development and letter dated 06.07.2020 issued by the Ministry of Home Affairs is refused.

(2) The decision taken by the State Disaster Management Authority/ State not to hold final year/ terminal semester examination by 30.09.2020 in exercise of power under Disaster Management Act, 2005 shall prevail over deadline fixed by the University Grants Commission i.e. 30.09.2020 in respect to the concerned State.

(3) The decision of the State/ State Disaster Management Authority to promote the students in the final year/ terminal semester on the basis of previous performance and internal assessment being beyond the jurisdiction of Disaster Management Act, 2005 has to give way to the guidelines of UGC dated 06.07.2020 directing to hold examination of final year/ terminal semester. The State and University cannot promote the students in the final year/ terminal semester without holding final year/ terminal examination.

(4) If any State/ Union Territory in exercise of jurisdiction under Disaster Management Act, 2005 has taken a decision that it is not possible to conduct the final year/ terminal semester examination by 30.09.2020, we grant liberty to such State/ Union Territory to make an application to the University Grants Commission for extending deadline of 30.09.2020 for that State/ Union Territory which shall be considered by UGC and rescheduled date be communicated to such State/ Union Territory at the earliest.”

It transpires that a *posteriori* to above judgment of Hon'ble Supreme Court, fresh revised date-sheet for sixth semester examinations was issued by the University on 07.09.2020 and both sides are *ad idem* that in pursuance of the above revised date-sheet, all the petitioners have undertaken their respective examinations. It is further acknowledged that as on today, petitioners are having no grievance against the respondents.

Upon issuance of the revised date-sheet dated 07.09.2020 as well as changed circumstances to the effect that none of the petitioners is having any grievance against the respondents after taking their examinations, thus, no cause of action survives in the present writ petition; consequently, the same is disposed off as having been rendered infructuous.

Ordered accordingly.

Pending application(s), if any, shall also stand disposed off.

(MAHABIR SINGH SINDHU)
JUDGE

October 01, 2020

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No