

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

Sr. No.210

**CWP-15498-2016 (O&M)**

**Date of decision : 24.2.2020**

Amandeep

..... Petitioner

**VERSUS**

Ansal University, Gurgaon and others

..... Respondents

**CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL**

Present: Mr. Ravi Verma, Advocate, for the petitioner.

Mr. Manoj Kumar, Advocate, for respondents No.1 to 3.

Mr. T.S. Lehal, Advocate, for respondent No.4.

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**SUDHIR MITTAL, J. (Oral)**

The petitioner took admission in M. Tech (Construction Technology Management) in respondent No.1-University in August, 2015. Fee for the first semester was deposited on 14.8.2015. The examination of the first semester due to be conducted in December 2015, was not conducted, but the petitioner continued to attend classes and waited for the said examination. An oral request was also made to respondent No.1-University to conduct the examination, but nothing was done. Fee for the second semester was deposited on 4.5.2016 and yet, the examinations were not conducted. Thus, a representation dated 13.6.2016, was made to respondent No.4-UGC and to Hon'ble Chief Minister of the State of Haryana. Respondent No.4-UGC sent a communication dated 20.7.2016 to respondent No.1-University to conduct the examination. Thereafter, another communication dated 20.10.2016 was sent by the said respondent. However, respondent No.1-University did not take any further action. Instead of conducting the examination, respondent No.1-University refunded

to quash the action of refund of fee and to direct respondent No.1-University to conduct the examination. A further prayer has been made to take strict action against respondent No.1-University.

Learned counsel for respondent No.1-University submits that the only two students took admission in the course and thus, it was not feasible to conduct classes or to conduct the examination. Accordingly, the students were offered refund of the fee and refund was, in fact, made.

Learned counsel appearing for respondent No.4-UGC submits that the said respondent is only a regulatory body. It has no authority to take action against any private University.

Since, the fee of the petitioner has already been refunded, no directions are called for, in this matter. If, adequate number of students do not take admission, an institution cannot be forced to conduct classes or conduct examinations. No illegality in the action taken has been pointed out and in case, the said action is illegal, the petitioner shall be at liberty to take appropriate action, in accordance with law, if so advised.

The writ petition is dismissed.

**(SUDHIR MITTAL)**  
**JUDGE**

**24.2.2020**

Ramandeep Singh

Whether speaking / reasoned

Yes / No

Whether Reportable

Yes/ No