

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

LPA No. 840 of 2020 (O&M)
Date of decision:- 25.11.2020

Neeru Yadav and othersAppellants
Versus

JC Bose University of Science & Technology and another
...Respondents

**CORAM: HON'BLE MR. JUSTICE RAVI SHANKER JHA, CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN PALLI, JUDGE.**

Present:- Mr. Vishal Aggarwal, Advocate, for the appellants.
Mr. Sunil Chadha, Sr. Advocate with
Mr. Aman Sharma, Advocate, for the respondents.

(The aforesaid presence is being recorded through video conferencing since the proceedings are being conducted in virtual Court).

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RAVI SHANKER JHA, C.J. (ORAL)

This Letters Patent Appeal has been filed by the appellants being aggrieved by the orders dated 12.11.2020 and 19.11.2020 passed by the learned Single Judge wherein the Court by an interim order has ordered that the petitioners who are students of respondent university and other similarly situated students shall be permitted to submit their assessment/examination forms for the said intermediate semesters along with the prescribed fee but without any late fees within a period of 10 days from 12.11.2020. The said direction has been reiterated by the learned Single Judge on an application for modification/clarification vide order dated 19.11.2020.

This appeal has been filed by the appellant-students being aggrieved by the aforesaid two orders of the learned Single Judge.

When confronted with the maintainability of this Letters Patent Appeal in view of the law laid down by the Supreme Court in the case of *Midnapore Peoples' Cooperative Bank Limited and others v. Chunilal Nanda and others* (2006) 5 SCC 399, learned counsel for the appellants prays for and is permitted to withdraw the appeal with liberty to raise all the issues before the learned Single Judge which is yet to hear the matter on-merits after completion of the pleadings.

It needs no emphasize to state that the observations, if any, made by the learned Single Judge in the impugned orders are only prima-facie impression and the matter is yet to be adjudicated by the learned Single Judge after hearing the parties at length.

Dismissed as withdrawn with the liberty aforesaid.

(RAVI SHANKER JHA)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

25.11.2020
ravinder

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