

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP No. 7686 of 2021 (O&M)

Date of Decision: September 03, 2021

Prabhjot Kaur

.....Petitioner

versus

Vice Chancellor Guru Nanak Dev University and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Ritesh Aggarwal, Advocate
for the petitioner

Ms. Ekjot Sandhu, Advocate
for respondents No. 1 to 3

Mr. Amit Sharma, Advocate for
Mr. Rajdeep Singh Cheema, Advocate
for respondent No. 4

Sudhir Mittal, J. (Oral)

CM No. 11982 of 2021

This application has been filed for placing on record examination schedule and the application alongwith fee submitted by the petitioner.

For the reasons stated therein, application is allowed and documents annexed therewith are taken on record.

CWP No. 7686 of 2021

The petitioner has challenged non-declaration of her result in the examination taken for improvement of score in II, IV and VI semester examination. It is submitted that pursuant to circulation of the examination schedule the petitioner submitted her application. The same was accepted and she also got hall ticket. The examination was conducted in September and October 2020 but the result has not been declared. In February 2021, respondent-University

started asking the petitioner to appear in offline mode of examination for improvement of the score but the petitioner did not accept the offer as she had already taken the examination.

Learned counsel for the respondent-University submits that vide letter dated 04.07.2020 (Annexure R-2/2) with the written statement, the concerned were notified that the forthcoming examination was not for students seeking to improve their score. The petitioner still took the examination and, thus, non-declaration of the result was not illegal. In February 2021, the petitioner was asked to take the examination schedule for improvement of score in offline mode but she refused to take the same. Thus, she is dis-entitled from raising any grievance.

During the course of hearing on 26.07.2021, the respondent-University was directed to place on record the relevant examination schedule and the application submitted by the petitioner. The same has been taken on record today. According to the said record, the examination schedule was circulated on 03.02.2020 and the same pertained to improvement of score also. Accordingly, the petitioner applied on 17.03.2020. A perusal of the application shows that the same was accompanied by the special fee and was approved after verification. Although examination was scheduled to be held in May 2020, on account of the ongoing COVID-19 pandemic, the same was actually held in September-October 2020. The letter dated 04.07.2020 (Annexure R-2/2) can not come in the way of the petitioner as the said letter was addressed by the Director Public Instructions (Colleges) to the Vice Chancellors of all Government and Private Universities. There is nothing on record to indicate that the contents thereof were ever brought to the notice of the students. Thus, non-declaration of the result of the petitioner is patently arbitrary. The petitioner is being made to suffer even though there is no fault on her part.

The writ petition is, accordingly, allowed. The respondent-University is directed to declare the result of the petitioner for the examination taken by her for improvement of her II, IV and VI semester course. The same be done within two weeks from the date of receipt of certified copy of this order.

September 03, 2021

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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No