

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

221

**CWP-9664-2021
Decided on : 15.06.2021**

Aditya Mathur

... Petitioner(s)

Versus

State of Haryana and others

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Mr. Ranvir S. Chauhan, Advocate
for the petitioner(s).

Mr. Deepak Bhardwaj, DAG, Haryana.

Mr. Tribhuvan Dahiya, Sr. Advocate with
Mr. Deepak Kundu, Advocate
for respondents No.2 & 3 - University.

MANJARI NEHRU KAUL, J. (Oral)

In compliance to order dated 19.05.2021, learned Sr. counsel for respondents No.2 & 3 (University) has filed the admission brochure of the respondent-University, with respect to the attendance rules, which would be applicable to the students. Same is taken on record, subject to all just exceptions. Office to tag the same at appropriate place.

While inviting the attention of this Court to the attendance rules, learned Sr. counsel for respondents No.2 & 3 (University) contends that it has been explicitly provided for in the said rules that in case any student was short of the minimum required attendance of 65%, he would be detained and not permitted to take his examinations.

Admittedly, the attendance of the petitioner was 24.55% which was way below the required attendance of 65%. Hence, the action of respondents

No.2 & 3 (University) in not allowing the petitioner to pay fees for the next

semester cannot be faulted with.

Coming next to the grievance of the petitioner that his attendance had been wrongly calculated by the respondents No.2 & 3 (University) as a result of which he could not take his examination would be a disputed question of fact which cannot be gone into by this Court.

After arguing for some time, learned counsel for the petitioner contends that he may be permitted to withdraw the instant petition with liberty to move a representation to the respondent-University *qua* the wrong calculation of attendance after giving complete details in the said regard.

Learned Sr. counsel for respondents No.2 & 3 (University) states that in case the petitioner moves a representation, same shall be looked into and positively decided within a period of 10 days, as per rules.

Keeping in view the statement made by the learned counsel for respondents No.2 & 3 (University), the petitioner prays for withdrawal of the instant petition at this stage with liberty to move a representation before the respondent-University.

Ordered accordingly.

(MANJARI NEHRU KAUL)
JUDGE

June 15, 2021

J.Ram

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*