

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

**CWP-11640-2021 (O&M)
Date of decision : 16.07.2021**

Dheeraj Kumar

... Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. Munish Puri, Advocate for the petitioner.

Mr. Sehajbir Singh, Advocate for the respondents.

ALKA SARIN, J. (ORAL)

Heard through video conferencing.

Prayer in the present writ petition under Article 226/227 of the Constitution of India is for issuance of directions to the official respondents to grant permission to the petitioner to appear for 7th Semester as well as 8th Semester Exams of B.Tech Course Electrical Engineering Branch at Tavi Engineering College, Shahpurkandi, Tehsil Dhar Kalan, District Pathankot.

Learned counsel for the petitioner would contend that in this regard, he had given a representation dated 11.12.2020 (Annexure P-8), however, no response has been received qua the same and the exams are to commence from 19.07.2021,

Mr. Sehajbir Singh, Advocate, who had accepted notice on behalf of the respondents on 09.07.2021, is not in a position to deny that Mark Sheets shared by the petitioner qua his 6th Semester Exams clearly reveals that the 6th Semester Exams were taken by the petitioner prior to his joining his post on 23.07.2020.

Learned counsel for the respondents would contend that the petitioner has not informed the respondents-Department that he was pursuing his course when he joined his duties on 23.07.2020 and further that the 7th Semester Classes were attended by the petitioner online without informing the respondents-Department

Heard.

The limited prayer made by the petitioner in the present writ petition is for issuance of directions to the respondents to permit him to take his 7th and 8th Semester Exams of B.Tech Course Electrical Engineering Branch at Tavi Engineering College, Shahpurkandi, Tehsil Dhar Kalan, District Pathankot. Learned counsel for the respondents is not in a position to deny that the petitioner had taken his 6th Semester Exams prior to joining. The only objections raised by learned counsel for the respondents are that the petitioner had not informed that he was pursuing his course and, further, he had attended online classes for the 7th Semester Exams, are nothing but hyper-technical objections which cannot be considered. The petitioner is seeking a very simple and straightforward relief i.e. for permitting him to continue his education which cannot be denied. The petitioner had admittedly taken the 6th Semester Exams and now wishes to clear his 7th and 8th Semester Exams. The objection raised by the respondents that the petitioner was attending online classes is not untenable inasmuch as it is not the allegation that any loss of work has been suffered by the Organization due to the petitioner attending online classes or that online classes in any manner interfered with his work. It is also not the case of the respondents that the petitioner was attending the online classes while on duty.

In view of the above, the present writ petition is disposed off with a direction to the official respondents to permit the petitioner to appear in the 7th and 8th Semester Exams of B.Tech, Course Electrical Engineering Branch at Tavi Engineering College, Shahpurkandi, Tehsil Dhar Kalan, District Pathankot as per his eligibility and to grant the necessary permission as well as leave, in accordance with law, forthwith as the exams are to commence from 19.07.2021.

Disposed off accordingly.

A copy of this order be given to learned counsel for the petitioner under the signatures of Court Secretary attached to this Court.

16.07.2021
Yogesh Sharma

(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO