

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

Sr. No.119

**Civil Writ Petition No.25450 of 2021
Date of Decision : December 15, 2021**

Ranbir Singh Chauhan

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Ram Karan Agnihotri, Advocate, for the petitioner.

SUDHIR MITTAL, J. (ORAL)

The petitioner is a student of respondent No.3. He is undergoing two year course of DMC trade. He has cleared the first year but in the second year, he was involved in a criminal case as a result of which, he is in judicial custody. His request for permission to take the semester exam of the second year has been declined vide speaking order dated 30.11.2021 (Annexure P-12).

A perusal of the said order shows that the denial of permission is on the ground of lack of attendance which cannot be made up.

Learned counsel for the petitioner submits that the shortfall in attendance is on account of reasons beyond the control of the petitioner and thus, he is entitled to benefit under Clause 2.10 of General Guidelines for Training in ITIs referred to in the impugned order.

The contention cannot be accepted. A student who involves himself in crime cannot be given the benefit to which a student is entitled when his absence is for reasons beyond his control. Incarceration in judicial

custody is on account of reasons which could have been avoided. The relaxation is provided only for students who are unable to fulfill the requirement of attendance on account of reasons such as sickness or the like.

In view of the above, the impugned order dated 30.11.2021 (Annexure P-12) cannot be faulted.

The writ petition is without merit and is dismissed.

December 15, 2021

Ankur

**(SUDHIR MITTAL)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No