

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

130

C.W.P. No.5979 of 2022

Date of Decision:- 07 .04.2022

Kritika Pundir and another

....Petitioners

vs.

Dental Council of India and others

....Respondents

BEFORE :- HON'BLE MR. JUSTICE SUDHIR MITTAL

Present:- Mr. Pardhuman Garg, Advocate,
for the petitioners.

Sudhir Mittal, J. (Oral)

The petitioners are students of BDS Course. In the year 2015, they took admission to BRS Dental College, Panchkula. The said College was closed sometime in the year 2019 due to a dispute between the teachers and the management. Thus, the petitioners were transferred to respondent No.3. Prior thereto, the petitioners had approached this Court for transferring them to some other college wherein vide order dated 11.06.2020, this Court directed the University to permit the petitioners and other similarly situated students to take the forthcoming examinations. Examination was taken but result was declared on the directions of this Court in June, 2021. The petitioners have got a compartment in the second year examination.

According to the University Calender, maximum period of nine years is prescribed for completion of the BDS Course. As the petitioners are still in the second year, they presented a representation before respondent No.1 to extend the period for completing the course as they could not have qualified the Course within the prescribed time. This request has been rejected.

Learned counsel for the petitioners has argued that on account of late declaration of the result by respondent No.2, the petitioners have been unable to take the re-test for the subjects in which they got a compartment. This fact has not been considered by respondent No.1 while rejecting the representation and, thus, the writ petition deserves to be allowed.

It is not in dispute that the petitioners took admission in the Course in the year 2015. They took the second year examination sometimes after June, 2020. By then, had they been diligent, they would have been close to completing the Course but they were still in the second year. This conclusively shows that they are not serious in studies and this Court will not exercise discretionary jurisdiction under Article 226 of the Constitution of India in favour of such non-serious students. In any case, the maximum period prescribed for completion of the Course is to be determined by the relevant academic authorities and Courts do not have any expertise to interfere therewith and grant extension.

For the aforementioned reasons, the writ petition has no merit and is dismissed.

April 07, 2022
poonam

(SUDHIR MITTAL)
JUDGE

Whether Speaking/Reasoned **Yes**

Whether Reportable **No**