

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

Sr. No.255

**CWP-981-2022 (O&M)
Date of decision : 30.03.2022**

Kusum Toor

..... Petitioner

VERSUS

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Gaurav Gaur, Advocate, for the petitioner.

Mr. Rajneesh Chadwal, AAG, Haryana

Mr. Naman Jain, Advocate, for respondent No.2.

SUDHIR MITTAL, J. (Oral)

The petitioner took admission to the Post Basic B.Sc. Nursing course on 29.10.2015. The said course is a two years course. First year examination was held in December, 2016 and the petitioner failed to clear the same. In December 2017, she re-appeared in all papers of the first year and except two papers, she managed to clear the rest. The left over two papers were cleared by her in December, 2018. Thereafter, she took the second year examination in August 2019, the result of which was declared on 05.12.2019. It was stated therein that her result had been cancelled and thus, the petitioner filed the instant writ petition.

Written statement has been filed on behalf of respondent No.2 and it has been argued that according to the University Ordinance, the Post Basic B.Sc. Nursing course is required to be completed within four years. Since, the petitioner did not complete the course within four years, her result was cancelled and thus, the petitioner does not deserve any relief.

From a perusal of the facts of this case, it is evident that the petitioner took the second year examination in August, 2019 and this fact has not been denied. Result was declared after four months and by then, the period

of four years had elapsed. Thus, the fault lies with the University and not with the petitioner. The petitioner cannot be penalized for delayed declaration of result by the University and thus, reliance upon the Ordinance by it is not permissible in law.

The writ petition is, accordingly, allowed. Respondent No.2 is directed to declare the second year result of the petitioner within four weeks from the date of receipt of certified copy of this order.

(SUDHIR MITTAL)
JUDGE

30.03.2022
Ramandeep Singh

Whether speaking / reasoned
Whether Reportable

Yes / No
Yes/ No