

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

281

CWP No.979 of 2023

Date of Decision: 19.09.2023

Paramvir Midha

..... Petitioner

Versus

Punjabi University, Patiala and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Puneet Gupta, Advocate for the petitioner.

Ms. Divya Godara, Advocate for respondents No.1 and 2.

Mr. Ranjit Singh Kalra, Advocate for respondents No.3 and 4.

VIKAS BAHL, J (ORAL)

1. This is a civil writ petition filed under Articles 226/227 of the Constitution of India for the issuance of a writ in the nature of mandamus for directing the respondents to declare the result of all 6 semesters of the course LL.B. in which the petitioner was enrolled and to provide the original copies of all the Detailed Marks Cards as well as the original copy of the LL.B. degree.

2. During the course of arguments, it has been admitted by all the learned counsels appearing for the respective parties that the petitioner had taken admission in LL.B. 3 year degree programme starting from June 2019 in the Universal Law College-respondent No.3 which is affiliated to Punjabi University, Patiala and has cleared all the examinations of all the semesters within the prescribed period and has also paid the necessary fees. It is also not disputed that as per Chapter-17 of the Punjabi University Calendar Volume-II, 2010, a candidate subsequent to the issuance of a roll number to him/her, having appeared in the examination, is found to be ineligible

for the examination, then his candidature may be cancelled by the Registrar at any stage before the declaration of the result. It is not in dispute that the petitioner has cleared the 3rd year semester examinations and was declared as pass, as per result annexed as Annexure P-11.

3. Learned counsel appearing for respondents No.1 and 2 has submitted that in view of the above said facts and circumstances and also in the exceptional circumstances, which arise in the present case, inasmuch as the 3rd semester classes started in July 2020 during the Covid period and even the applications by respondent No.3-college for the 3rd semester exams which were held in December 2020 were forwarded during the Covid period and result was declared after seven months i.e., on 08.07.2021 on account of the pandemic and thus, in the said exceptional circumstances, respondents No.1 and 2 did not cancel the candidature of the petitioner and since the petitioner has cleared all the exams and cancelling the candidature of the petitioner at this stage, would cause a loss of three years to the petitioner., thus, in the said exceptional circumstances without treating the present stand of the respondent-University as a precedent, the present writ petition be allowed and the petitioner be granted the necessary relief.

4. Keeping in view the above facts and circumstances of the case and the stand taken by respondents No.1 and 2-University, the present writ petition is allowed and respondents No.1 and 2 are directed to declare the result of all the six semesters of the LL.B. course in which the petitioner is enrolled and provide the original copies of all the Detailed Mark Cards and the original copy of the LL.B. degree which has been earned by the petitioner after passing all the six semesters examinations within the prescribed time, as expeditiously as possible.

5. It is made clear that the present order has been passed on account

of the statement made by learned counsel for respondents No.1 and 2 in the exceptional circumstances of the present case, which have been detailed hereinabove and thus, the present order would not be treated as a precedent and questions of law which arise in the present case are therefore kept open.

6. Learned counsel for the petitioner at this stage has pointed out that the petitioner has to appear for the All India Bar Examination regarding which, the last date for registration is 30.09.2023 and for the same, he requires the documents in question.

7. Learned counsel appearing for respondents No.1 and 2-University has submitted that as per instructions, some documents are required for the same and in case all the said documents are submitted by the petitioner, then respondents No.1 and 2 would hand over the documents to the petitioner on the date of his visit or immediately thereafter and in any case, uptill 26.09.2023.

8. The petitioner is directed to approach the competent authority of respondents No.1 and 2-University with all the documents on or before 21.09.2023 at 3.00 pm and submit the said documents and in case, any fees is required to be paid, then the same be paid by the petitioner and on doing so, respondents No.1 and 2 would issue all the documents including Detailed Mark Cards and the original copy of the LL.B. degree, as expeditiously as possible and at any rate before 26.09.2023.

9. A representative of the respondent No.3-college is also directed to remain present before the competent authority of the University at 3.00 pm on 21.09.2023 to coordinate and assist with the issuance of the said documents.

19.09.2023
D.Bansal

(VIKAS BAHL)
JUDGE