

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-3670-2023

Date of decision : 22.02.2023

Arya Sharma

... Petitioner

Versus

Guru Nanak Dev University and others

... Respondents

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr.Sanjeev Roy, Advocate
for the petitioner.

Mr.M.K.Dogra, Advocate
for the respondents.

VIKAS BAHL, J.(ORAL)

This is a civil writ petition under Articles 226/227 of the Constitution of India for issuance of an appropriate writ, order or direction especially in the nature of mandamus directing the respondent University to grant an effective opportunity to the petitioner to tender his tuition fee for second semester Session.

Learned counsel for the petitioner has submitted that the petitioner is a young student studying at the respondent University and enrolled himself with the University for the course of Bachelor of Computer Application in the month of September, 2022 after paying the fee for the first year. It is further submitted that the petitioner appeared for the first semester examinations and thereafter, for admission to the second semester, a circular was issued by virtue of which, the fee was to be paid by

It is stated that the petitioner is a poor person and on account of financial difficulties as well as on account of the fact that suddenly on 03.02.2023, the real aunt of the petitioner expired and thus, he could not pay the fee. It is further stated that on 13.02.2023, the petitioner had requested the respondent authorities to accept the fee along with late fee, but however, the respondent authorities had not accepted the said request. Learned counsel for the petitioner has submitted that the petitioner would pay the fee along with late fee of Rs.5000/- within a period of one week from today and the respondents be directed to accept the same.

Learned counsel for the respondents has submitted that the last date, upto which the fee along with late fee could have been accepted by the respondent authorities, was 10.02.2023 and since there is no rule which provides for any relaxation, therefore, on the said ground, the prayer made by the petitioner on 13.02.2023 was not accepted.

This Court has heard learned counsel for the parties and has perused the paper book.

The petitioner is a young boy of 19 years of age and got himself enrolled with the respondent University for the course of Bachelor of Computer Application in the month of September 2022 and had submitted his fee as is apparent from Annexure P-1. He had appeared in the first semester examinations and for admission in the second semester, he could have paid the fee along with late fee of Rs.5000/- up till 10.02.2023. On account of financial difficulties and the death of real aunt of the petitioner on 03.02.2023, the petitioner could not deposit the said amount. The petitioner has given a representation on 13.02.2023 and has stated before this Court that he is ready to deposit the fee along with late fee within a

period of one week from today.

Keeping in view the above said facts and circumstances, the present petition is allowed with the following directions:-

- i) The petitioner would approach the respondent University within a period of one week from today along with the fee for the second semester and the late fee of Rs.5000/-.
- ii) In case of the petitioner doing so, the respondent University is directed to accept the said fee.

(VIKAS BAHL)
JUDGE

February 22, 2023
Davinder Kumar

Whether speaking / reasoned	Yes/No
Whether reportable	Yes/No