

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(122)

CWP-3593-2023

Date of decision: - 21.02.2023

Akshnoor Kaur

....Petitioner

Versus

Guru Nanak Dev University and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

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

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

VIKAS BAHL, J. (ORAL)

This writ petition has been filed under Articles 226/227 of the Constitution of India, seeking a writ in the nature of mandamus for directing the respondents to grant an effective opportunity to the petitioner to submit her Second Semester tuition fee of Bachelor of Commerce (Hons.) (USHS) for the Session 2022-2025, on account of bona-fide difficulty.

Learned counsel for the petitioner has submitted that the petitioner is a student of Guru Nanak Dev University studying in B.Com Hons. from the department of University School of Financial Studies and after the passing of the first semester, she had appeared in the second semester and the ID Card and first semester result are annexed as

Annexures P-2 and P-3. It is further submitted that after the passing of the first semester, respondents had issued a schedule for submitting the fee of the second semester and 10.02.2023 was the last date for depositing the fee with late charges and that on account of poor financial condition of the petitioner and her family, the petitioner was not able to deposit the University fee within the said time period and on 16.02.2023 the petitioner had approached the University to accept her second semester fee with late charges, but the same has not been accepted and the petitioner through her father has given an application dated 16.02.2023 to the Head of the Department, University School of Financial Studies, Guru Nanak Dev University. Learned counsel for the petitioner has stated that the petitioner is ready to pay the fee for second semester fee along with late fee charges/penalty.

Learned counsel appearing on behalf of respondents No.1 and 2 has submitted that the last date for payment of fee alongwith penalty of Rs.5,000/- was 10.02.2023 and thereafter, there is no provision for accepting the late fee, thus, the plea of the petitioner was not accepted.

This Court has heard learned counsel for the parties and has gone through the paper-book.

The petitioner is a student of Guru Nanak Dev University and studying in B.Com Hons. from the department of University School of Financial Studies and has cleared her first semester. It is not in dispute that last date for payment of fee for the second semester alongwith penalty/late charges was 10.02.2023 and the father of the petitioner had approached the respondents on 16.02.2023 and had stated that he was

ready to pay the fee alongwith late charges/penalty and could not pay the same earlier on account of poor financial condition of the petitioner's family. It is the case of the petitioner that the financial condition of the petitioner and her family member is not very good, thus, the petitioner is praying for condoning the delay in payment of fee.

Keeping in view the above-said facts and circumstances and also the future of the petitioner, the present writ petition is allowed in the following terms: -

- (i) The petitioner or her legal guardian would approach the respondent authorities within a period of one week from today and offer the fees of the second semester alongwith penalty charges of Rs.5,000/-.
- (ii) In case the petitioner approaches the respondents within a period of one week from today with the fee of second semester alongwith penalty/late charges of Rs.5,000/-, the same would be accepted by respondents No.1 and 2.

February 21, 2023
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No