

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-3927-2023

Date of decision : 27.02.2023

Sudhanshu Kataria

... Petitioner

Versus

Guru Nanak Dev University

... Respondent

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr.Divanshu Jain, Advocate
for the petitioner.

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

VIKAS BAHL, J.(ORAL)

This is a civil writ petition under Article 226 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondent-University to grant an effective opportunity to the petitioner to tender his tuition fee for 6th semester as on account of a bonafide mistake, the same could not be submitted.

Learned counsel for the petitioner has submitted that the petitioner is enrolled in the course of B.Tech. (Civil Engineering) (late entry) in the department of Civil Engineering in the respondent-University and the petitioner has cleared upto the 5th semester of the said course and for the same, has duly submitted his tuition fee also. Reference in this regard has been made to Annexure P-1. It is further submitted that the tuition fee for the even semester session 2022-23 was Rs.53,690/- and had become due

10.02.2023. It is stated that the petitioner belongs to a poor family and his family was in financial stress and it was with great difficulty that the petitioner and his family were able to arrange the funds along with late fee but by the said time, the last date to submit the fees had lapsed. It is further stated that the petitioner had met the respondent authorities but the respondent authorities did not accept the fees. It is submitted that the petitioner is willing to pay the fee along with the late fee within a period of one week from today in case an opportunity is granted to the petitioner to do the same.

Learned counsel for the respondent-University has submitted that since the last date upto which the semester tuition fee along with late fee could have been deposited was 10.02.2023 and there was no power vested with the authorities to condone any further delay, thus, the prayer of the petitioner was not accepted, at that point in time.

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

The petitioner is stated to be a bonafide student of B.Tech. Civil Engineering and has duly paid all his tuition fees upto the 5th semester. It is not in dispute that the last date for submission of the tuition fee along with late fee was 10.02.2023 and on account of financial difficulty, the petitioner could not pay the same. It is the case of the petitioner that with great difficulty, he alongwith his family had been able to arrange the funds for deposit of the tuition fee along with the late fee charges which amounts to Rs.58,690/- (i.e., Rs.53,690/-plus an amount of Rs.5000/-). In case the fee is not accepted by the respondent-University, then the future of the petitioner would be in jeopardy inasmuch as, he will not be admitted to 6th

semester and he would not be able to pursue his studies on account of the said default.

Thus, keeping in view the above said exceptional facts and circumstances, the present petition is allowed in the following terms:-

- i) The petitioner or his legal guardian would approach the respondent-University within a period of one week from today and offer the tuition fee for the 6th semester, alongwith late fee charges of Rs.5,000/-.
- ii) In case the petitioner approaches the respondent-University within a period of one week from today with the tuition fee of 6th semester alongwith the penalty/late charges of Rs.5,000/-, the same shall be accepted by the respondent-University.

(VIKAS BAHL)
JUDGE

February 27, 2023
Davinder Kumar

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