

116

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

CWP-4296-2023

Date of decision : 02.03.2023

Lovepreet Kaur

...Petitioner

Versus

Guru Nanak Dev University and another

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Onkar Rai, Advocate for the petitioner.

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

VIKAS BAHL, J. (ORAL)

This is a Civil Writ Petition filed under Articles 226/227 of the Constitution of India for issuance of a writ especially in the nature of mandamus directing the respondents to accept the fees of B.Com 2nd semester from the petitioner on account of the fact that the petitioner could not pay fee as her father, being a truck driver, was in Orissa and was delivering some articles.

Learned counsel for the petitioner has submitted that the petitioner belongs to Backward Class and had taken admission in respondent No.2-College. It is further submitted that the petitioner could not pay fee for the second semester of B.Com on account of the fact that her father, who is a truck driver, had gone to Orissa to earn livelihood for

the family and it was only after waiting for her father that the petitioner could deposit the fee. In the meantime, the last date for the deposit of fee along with late fee of Rs.5000/- that was 10.02.2023 had lapsed. It is further contended that the petitioner is ready to deposit the fee for second semester of B.Com. along with Rs.5000/- as late fee/penalty charges within a period of 10 days from today.

On the other hand, learned counsel for the respondents has submitted that since the last date upto which the fee of second semester 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 a student of B.Com. in respondent No.2- College and had deposited the fee for the first semester but could not deposit fee for the second semester on account of the fact that her father who is a truck driver had gone to Orissa to earn livelihood for the family. The petitioner is ready to deposit the fee for the second semester of B.Com. along with Rs.5000/- as late fee/penalty charges within a period of 10 days from today.

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

- i) The petitioner or her legal guardian would approach the

respondents within a period of 10 days from today and offer the tuition fee for the second semester, alongwith late fee charges of Rs.5,000/-.

- ii) In case, the petitioner approaches the respondents within a period of 10 days from today with the tuition fee of second semester alongwith the penalty/late charges of Rs.5,000/-, the same shall be accepted by the respondents.

02.03.2023

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No