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

CWP-4322-2023

Date of decision : 02.03.2023

Rattanpreet Kaur

...Petitioner

Versus

Guru Nanak Dev University

...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Naveen Bawa, Advocate for the petitioner.

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

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 in the nature of mandamus directing the respondent to grant one opportunity to the petitioner for deposit of her tuition fee of 4th semester, Session 2022-23 of the course of Master of Business Administration (Finance), as the same could not be deposited by the petitioner within the prescribed time due to financial difficulties.

Learned counsel for the petitioner has submitted that the petitioner got admission in the course namely Master of Business Administration (Finance) having duration of 2 years with the respondent-University in the year 2021 and there are total four semesters. It is further

submitted that the fee of first, second and third semester had been paid. It is contended that last date for paying the fee of fourth semester was 10.02.2023 along with late fee of Rs.5000/- but on account of the fact that the father of the petitioner had received salary for the month of January, 2023 on 13.02.2023 i.e. after the last date had elapsed thus, the petitioner could not deposit the fee upto 10.02.2023 and had gone to the University on 14.02.2023 for depositing the fee but the same was not accepted by the University. It is further contended that the petitioner is ready to deposit the fee for the fourth semester along with Rs.5000/- penalty (late fees) within a period of 10 days from today.

On the other hand, learned counsel for the respondent-University has submitted that since the last date upto which the fee for fourth 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 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 student of Master of Business Administration (Finance) having duration of 2 years with the respondent-University and had taken admission in the year 2021 and is also stated to have paid fee for the first, second and third semester however, she could not pay the fee for fourth semester upto the last date as per the schedule i.e., 10.02.2023 along with late fee of Rs.5000/-, on account of the fact that the salary of father of the petitioner was received on 13.02.2023 and the

petitioner had gone to the respondent-University to deposit the fee on 14.02.2023 but the same was not accepted by the respondent-University. The petitioner is ready to deposit the fee for the fourth semester along with Rs.5000/- penalty within a period of 10 days from today and in case, she is not permitted to do the same, then it would cause irreparable loss to her as she would not be able to pursue her studies.

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

02.03.2023*Pawan***(VIKAS BAHL)
JUDGE****Whether speaking/reasoned:-****Yes/No****Whether reportable:-****Yes/No**