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

CWP-4097-2023

Date of decision : 28.02.2023

Punjab Unaided Degree Colleges Association (PUDCA)

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Sameer Sachdeva, Advocate for the petitioner.

Mr. Ferry Sofat, Addl. A.G. Punjab, for respondent No.1.

Mr. H.S. Baath, Advocate for respondent Nos.2 and 3.

VIKAS BAHL, J. (ORAL)

This is a Civil Writ Petition filed under Article 226 of the Constitution of India for issuance of an appropriate writ, order or directions especially in the nature of certiorari quashing the impugned notice/circular dated 08.02.2023 (Annexure P-6) issued by the respondent University for submission/deposition of examination forms and fee for examination of Semester for the Sessions May 2023.

Learned counsel for the petitioner has submitted that for the grievances raised by the petitioner in the present Civil Writ Petition, the petitioner had given a representation dated 21.02.2023 (Annexure P-7) to respondent No.3-Controller (Examination), Panjabi University, Patiala and the petitioner would be satisfied in case, respondent No.3 is directed to look into the representation dated 21.02.2023 (Annexure P-7) and in case, respondent No.3 finds any merits in the same, then to extend the period for depositing the examination fee.

Learned counsel appearing on behalf of respondent Nos.2 and 3 has submitted that the competent authority for the same is not the Controller (Examination) and it would be the Vice Chancellor of Panjabi University who is the competent authority and no representation has been given to the Vice Chancellor with respect to the grievances raised by the petitioner. It is further submitted that a perusal of Circular dated 08.02.2023 (Annexure P-6) would show that same has been given to all Heads of the Department, all Constituent Colleges/Neighborhood Campus and Principals/Incharge/Coordinators of the Colleges and it is not the petitioner association which has been singled out in the present case. It is further submitted that however, the representation dated 21.02.2023 (Annexure P-7) would be considered by the Vice Chancellor, in accordance with law, within a period of one week from the date of receipt of certified copy of the present order.

Keeping in view the abovesaid facts and circumstances and the fair stand taken by learned counsel for respondent Nos.2 and 3, the present Civil Writ Petition is disposed of with directions to Vice Chancellor, Panjabi University, Patiala to consider and decide representation dated 21.02.2023 (Annexure P-7) within a period of one week from the date of receipt of certified copy of the present order and in case, the Vice Chancellor is of the opinion that plea raised by the petitioner is genuine then, the Vice Chancellor would consider extending the date for deposit, in accordance with law.

28.02.2023*Pawan***(VIKAS BAHL)
JUDGE****Whether speaking/reasoned:- Yes/No****Whether reportable:- Yes/No**