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

CWP-9905-2023

Date of decision : 08.05.2023

Vijay Pratap Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Sundaram Ojha, Advocate and
Ms. Neha Tripathi, Advocate and
Mr. Abhishek Ranjan, Advocate for the petitioner.

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

VIKAS BAHL, J. (ORAL)

1. This is a Civil Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ in the nature of mandamus directing respondent No.2 to delete the questions which are out of concerned syllabus and accordingly, revise the petitioner's result.

2. Learned counsel for the petitioner has submitted that as per the report submitted by Neeraj Sharma, Nuclear Medicine Physicist & RSO who was the concerned Subject Teacher and Sanjiv Kumar, Nuclear Medicine Physicist, Department of Nuclear Medicine who was also the concerned Subject Teacher, several questions in the supplementary examination of paper No.3 were found to be out of syllabus and has referred to report dated 03.11.2022.

It is further submitted by the petitioner that the representation dated 08.04.2013 (Annexure P-7) had been given to the Controller of Examination, Baba Farid University of Health Sciences, Faridkot, Punjab, bringing out all the grievances. It is also submitted that as per the ordinance and syllabus, it is the Vice Chancellor, under whose direction, the paper setting and moderation of question papers are to be done and the answers are to be evaluated. It is contended that the petitioner would be satisfied, in case, the representation dated 08.04.2013 (Annexure P-7) is considered by the Vice Chancellor, in accordance with law and in case, the Vice Chancellor finds that plea raised by the petitioner is genuine then appropriate action, in accordance with law, be taken as expeditiously as possible.

3. Keeping in view the abovesaid facts and circumstances, the present Civil Writ Petition is disposed of with direction to the Vice Chancellor, Baba Farid University, to consider the representation dated 08.04.2023 (Annexure P-7) in accordance with law and after considering the same, in case, the Vice Chancellor is of the opinion that there is merit in the plea raised by the petitioner, then, take appropriate action, in accordance with law, as expeditiously as possible preferably within a period of six weeks from the date of receipt of certified copy of the present order.

08.05.2023*Pawan***(VIKAS BAHL)
JUDGE****Whether speaking/reasoned:- Yes/No****Whether reportable:- Yes/No**