

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-13413-2023

Date of decision : 04.07.2023

Isha Virk

... Petitioner

Versus

Indian Institute of Management, Rohtak and others

... Respondents

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present:- Mr.Nilesh Bhardwaj, Advocate for the petitioner.

Mr. Vivek Singla, Advocate for the respondents.

VIKAS BAHL, J.(ORAL)

1. This is a civil writ petition filed under Articles 226/227 of the Constitution of India for issuance of an appropriate writ, order or direction especially a writ in the nature of certiorari quashing the order dated 14.02.2023 (Annexure P-19), order dated 28.02.2023 (Annexure P-22) and order dated 18.05.2023 (Annexure P-30) whereby the petitioner has been withheld for a year in Five Year Integrated Programme in Law by downgrading her grades.

2. Learned counsel for the petitioner has submitted that even as per the impugned order dated 18.05.2023, it has been stated that it is open to the petitioner to repeat the year with the next batch of IPL course by paying full fees for the repeat year. The petitioner has restricted her prayer to the relief for being permitted to repeat a year with the next batch of IPL course and is ready to pay full fees for the repeat year. It is however stated that in the impugned order, it is mentioned that the said request is to be given within a period of one week from 18.05.2023 and the said period has lapsed.

It is further stated that the said condition of one week is illegal and

extremely onerous and has relied upon Rule 4.2.2.2 of Academic Handbook Batch 02 to contend that a total period of 7 years is granted to a student to complete the programme and since the petitioner had joined in the year 2022, thus, she still has sufficient time to complete her course which is a five year programme and that once the petitioner is ready to pay the full fee, the requirement of having to give the consent within a period of 7 days should not be insisted upon by the authorities. It is argued that since the petitioner is making a very limited prayer, thus, her prayer on the said aspect be considered liberally. It is further submitted that the application moved by the petitioner to the respondent no.3 making the abovesaid prayer be considered by respondent no.3 in a time bound manner.

3. Learned counsel for the respondents has fairly submitted that the application submitted by the petitioner would be considered as expeditiously as possible and in any case within a period of three weeks from today and all the aspects would be taken into consideration.

4. Keeping in view the above said facts and circumstances, the present petition is disposed of with a direction to respondents no.3 and 4 to consider the application filed by the petitioner for repeating the year with the next batch of IPL by paying full fees for the said repeat year, within a period of three weeks from today after taking into consideration all the relevant aspects.

(VIKAS BAHL)
JUDGE

July 04, 2023
Davinder Kumar

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