

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

CWP-13498-2023

Date of decision : 05.07.2023

Adesh

.....Petitioner

Versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE RAVI SHANKER JHA, CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Surender Pal, Advocate,
for the petitioner.

Mr. Deepak Balyan, Addl. Advocate General, Haryana.

Mr. G.S. Attariwala, Senior Advocate, with
Ms. Sehej Sandhawalia, Advocate,
for respondents No.3 and 4.

Mr. Sanjeev Kaushik, Advocate, and
Mr. Divyanshu Kaushik, Advocate,
for respondent No.6.

RAVI SHANKER JHA, CHIEF JUSTICE (Oral)

This petition has been filed by the petitioner being aggrieved by the fact that respondents No.3 and 4 are not giving an NOC (No Objection Certificate) to the petitioner to attend the internship programme of Bachelor of Ayurvedic Medicine and Surgery (B.A.M.S.) degree course; and are not permitting him to attend the internship classes, on account of non-deposit of late fee/penalty by him.

Learned counsel for the petitioner submits that the late fee, as quantified by respondents No.3 and 4 and sought to be recovered from the petitioner, is excessive on account of several aspects, i.e. moratorium

that was granted during Corona pandemic period, late start of semesters and non-intimation of the fee by the authorities that was required to be deposited by the petitioner, etc. It is submitted that the petitioner has approached respondents No.3 and 4 authorities by filing representations dated 06.06.2023 (P-15) and 08.06.2023 (P-16), on which no decision has been taken by the authorities. Learned counsel further submits that the authorities may be directed to consider his representations sympathetically as well as his prayer to reduce the quantum of penalty levied by them on account of late deposit of fee.

Learned senior counsel appearing on behalf of respondents No.3 and 4 submits that they have already considered the cases of several other students in this regard, who have approached them for concession/reduction in the penalty for late fee and that the authorities would also consider the case of the petitioner. He submits that in view of the submissions made by learned counsel for the petitioner as well as the prayer made in the petition, case of the petitioner for grant of concession/reduction in the penalty would be considered by the authorities sympathetically and a decision thereon would be taken after hearing the petitioner.

In view of the statement made by learned senior counsel for respondents No.3 and 4 as well as the consent for the same given by the petitioner, on consensus, it is ordered that the petitioner would approach the respondents – authorities on Friday, i.e. 07.07.2023, on which day, the authorities would take a decision in the matter, after hearing the petitioner, and shall pass necessary order by Monday, i.e. 10.07.2023, as regards concession/reduction in the late fee to be deposited by the

petitioner as well as regarding issuing NOC (No Objection Certificate) to the petitioner to attend the internship classes of B.A.M.S. degree course and communicate the same to the petitioner immediately thereafter.

Petition stands disposed of accordingly.

(RAVI SHANKER JHA)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

July 05, 2023
ndj

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