

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

(117)

CWP-17194-2023

Date of decision: - 08.08.2023

Shashi Sangwan**....Petitioner****Versus****Union of India and others****.....Respondents****CORAM : HON'BLE MR. JUSTICE VIKAS BAHL**

Present:- Mr. Shamsher Singh Tomar, Advocate,
for the petitioner.

Mr. Anil Chawla, Advocate
for respondent No.1-UOI.

VIKAS BAHL, J. (ORAL)

1. This writ petition has been filed under Articles 226/227 of the Constitution of India for the issuance of an appropriate writ, order or direction especially a writ in the nature of certiorari for quashing the communication/letter dated 30.06.2023 (Annexure P-7) sent by respondent No.2 whereby the representation dated 13.06.2023 (Annexure P-6) filed by the petitioner has been dismissed.

2. Learned counsel for the petitioner has submitted that the petitioner could not complete his Masters Degree within a period of two years from the date of the declaration of the UGC-Net result dated 29.11.2022 on account of the fact that in the year 2019 the mother of the petitioner went through a bypass surgery and the petitioner being the child residing with her had to take of her and a reference in this regard

has been made to the medical certificate (Annexure P-2). It is further submitted that the petitioner suffered from Covid in the year 2021 and has prayed that the case of the petitioner be considered sympathetically. It is also submitted that although the case of the petitioner has already been rejected by the respondent authority, but the said two circumstances have not been considered. It is stated that the petitioner would submit a comprehensive representation to respondent No.2 within a period of two weeks from today giving the said details alongwith the necessary documents and has submitted that the petitioner would be satisfied in case respondent No.2 considers the matter sympathetically. It is also stated that in case respondent No.2 is to reject the plea of the petitioner, then, he would not further challenge the same.

3. Keeping in view the above-said facts and circumstances, the present writ petition is disposed of in the following terms: -

- (i) It would be open to the petitioner to file a comprehensive representation to respondent No.2 detailing the circumstances, and *prima facie* showing why he could not complete the Masters Degree within a period of two years.
- (ii) Respondent No.2 would consider the said representation within a period of six weeks from the date of receipt certified copy of this order. In case respondent No.2 is of the opinion that the pleas raised by the petitioner entitling him the benefit are meritorious, then, the benefit be granted to him in accordance with law. In case respondent No.2 is of the opinion that the said prayer of the petitioner cannot be granted, then, it would be open to respondent No.2 to reject the said prayer within a period of two months from today.

(iii) As undertaken before this Court, in case respondent No.2 is to reject the plea of the petitioner, then, the petitioner would not further challenge the same.

4. It is made clear that this Court has not opined on the merits of the case and respondent No.2 would decide the matter independently, in accordance with law.

August 08, 2023
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No