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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-19556-2023

Date of decision: 04.09.2023

Ravinder Kumar

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Ram Pal Verma, Advocate for the petitioner.

Ms. Rajni Gupta, Addl. A.G., Haryana
for respondent No.1.

VIKAS BAHL, J. (ORAL)

1. This is a Civil Writ Petition filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondents to declare/update the result of internal examination of the first semester of Bachelor of Technology degree of the petitioner.

2. Learned counsel for the petitioner has submitted that the petitioner had in fact, appeared in the first semester, both in the internal and external examination. It is further submitted that in the external examination, the petitioner has been awarded 23 marks. It is contended that the petitioner has subsequently cleared his second, third, fourth, fifth, sixth, seventh and eighth Semester Examinations and has referred to the documents (Annexures P-1 to P-7) for the said purpose. It is also submitted that the degree has not been given to the petitioner on the ground that he has not cleared his first semester examination in the year 2014 and for the said purpose, after verification, the petitioner has found that although, the petitioner had appeared in internal examination but he has been

given zero marks for the same and has been shown to be absent. It is argued that the petitioner had actually appeared in the internal examination and has been wrongly shown to be absent and for the said purpose, the petitioner would give a detailed representation to the competent authority of respondent No.2-University after mentioning full particulars/details with respect to the internal examination given by the petitioner in the year 2014 and has prayed that the competent authority of respondent-University be directed to consider the same, in accordance with law, in a time bound manner and in case the pleas raised by the petitioner are found to be meritorious then to grant necessary relief in accordance with law.

3. Keeping in view the abovesaid facts and circumstances, the present Civil Writ Petition is disposed of with liberty to the petitioner to file a detailed representation before the competent authority of respondent-University and on his doing so, the competent authority of respondent-University is directed to consider the same in a time bound manner in accordance with law preferably within a period of four weeks from the date of receipt of the said representation and in case the pleas raised by the petitioner are found to be meritorious then the competent authority would grant necessary relief, in accordance with law and in case, the competent authority is of the opinion that the pleas raised by the petitioner are not meritorious then a speaking order rejecting the same be passed within a period of four weeks from the date of receipt of said representation.

4. This Court has not opined on the merits of the case and the competent authority of the respondent-University would consider the case of the petitioner independently and in accordance with law.

04.09.2023*Pawan***(VIKAS BAHL)
JUDGE****Whether speaking/reasoned:- Yes/No****Whether reportable:- Yes/No**