

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-30313-2022

Date of decision : 05.01.2023

Hanish Garg

... Petitioner

Versus

The Punjabi University, Patiala and others

... Respondents

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr.Daman Dhir, Advocate
for the petitioner.

Mr.Harchand Singh Batth, Advocate
for the respondents.

VIKAS BAHL, J.(ORAL)

This is a civil writ petition under Article 226 of the Constitution of India praying for issuance of an appropriate writ especially in the nature of mandamus directing the respondents to declare the result of the petitioner for the 4th semester of the B.Com Course, with a further prayer to consider and take final decision on the representation dated 20.06.2022.

Learned counsel for the petitioner has submitted that in the year 2020 while the petitioner was pursuing his studies in the respondent college pertaining to B.Com. Part II (4th Semester), on account of outbreak of the pandemic-Covid 19, a nationwide lockdown was imposed w.e.f. March 2020 and the examination for the same could not be held and the students of said course were promoted without any written examination. It is further submitted that on the basis of the criteria adopted, the result pertaining to

was declared whereas the result of the petitioner was not declared and thereafter, the petitioner approached the respondent college, whereupon he was instructed to get in touch with the University Authorities and on contacting the respondent University, the petitioner learnt that neither the examination form of the petitioner had been filled nor forwarded for the purpose of appearance in the said examination and the petitioner thereafter without wasting any time, appeared in examination of B.Com Part II (4th Semester) and was also issued a roll number slip. It is stated that the result of the examination of B.Com. Part II (4th Semester) which was held in May, 2021, has not been declared by the respondent University on the ground that the internal assessment of the petitioner was not forwarded by the respondent college and thereafter the petitioner approached the respondent college for the purpose of forwarding his internal assessment and the petitioner also deposited the requisite fee with respect to the same, and thereafter the internal assessment of the petitioner was forwarded by the respondent college to the University vide letter dated 13.12.2021 and the said fact was admitted by the respondent University in the letter dated 13.04.2022 which was sent by the Assistant Registrar (Examination). Further queries raised in the said letter were responded to by the said college vide letter dated 26.04.2022 in which it was stated that the petitioner fulfilled all the criterias of eligibility and requested the University to add the internal assessment in the result card. Learned counsel for the petitioner has submitted that in spite of the above and in spite of the fact that the petitioner had filed representation dated 20.06.2022 before the Controller of Examination, Punjabi University, Patiala, till date, the result of the petitioner has not been declared and further submits that the petitioner

would be satisfied in case the present petition is disposed of with a direction to respondent no.2-The Controller of Examination, Punjabi University, Patiala to consider the representation dated 20.06.2022 and to take a final decision thereon within a period of four weeks from the date of receipt of certified copy of the present order.

Notice of motion.

Mr.Harchand Singh Batth, Advocate, appears and accepts notice on behalf of the respondents and has submitted that he has no objection in considering the representation dated 20.06.2022 given by the petitioner and that the respondents would take a decision on the said representation within a period of four weeks from the date of receipt of certified copy of the present order.

Keeping in view the above said facts and circumstances, the present petition is disposed of with a direction to respondent no.2 to take a final decision on the representation dated 20.06.2022 within a period of four weeks from the date of receipt of certified copy of the present order.

It is made clear that this Court has not given any opinion on the merits of the case and respondent no.2 would independently consider the representation, in accordance with law.

(VIKAS BAHL)
JUDGE

January 05, 2023

Davinder Kumar

Whether speaking / reasoned
Whether reportable

Yes/No
Yes/No