

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

117

CWP-26071-2023**Date of Decision: 20.11.2023**

Hanumat Rai

..... Petitioner

Versus

Kurukshetra University, Kurukshetra and another

..... Respondents**CORAM: HON'BLE MR. JUSTICE VIKAS BAHL**

Present: Mr. Sajjan Singh, Advocate
for the petitioner.

VIKAS BAHL, J (ORAL)

1. This is a civil writ petition filed under Article 226/227 of the Constitution of India for issuance of a writ in the nature of certiorari for quashing the action of the respondents of not granting proportionate marks in paper V(a) in theory examination of 40 marks by enhancing these in proportion to 50 marks for the petitioner and not conducting paper V(b) i.e. of practical examination for 50 marks of the petitioner.

2. Learned counsel for the petitioner has submitted that the petitioner would not press his prayer for grant of proportionate marks in paper V(a) or for re-evaluation/re-checking but has limited his prayer to the aspect of not conducting paper V(b) i.e. the practical examination for 50 marks of the petitioner.

3. Learned counsel for the petitioner has further submitted that the petitioner had been given a mercy chance and as per the Scheme of Examination for Annual System of M.Sc. Geography issued by the

Directorate of Distance Education, Kurukshetra University, Kurukshetra

with respect to paper V, the examinations were to be conducted in two parts, one having serial number V(a) i.e. Quantitative Methods and Cartographic Representation of Climatic and Socio-Economic Data (Theory) and the other being V(b) i.e. Quantitative Methods and Cartographic Representation of Climatic and Socio-Economic Data (Practical) and further highlighted that the examination V(b) was of 50 marks. It is submitted that the said Scheme were in vogue even at the time the petitioner was giving the examination and it is also submitted that no examination of paper V(b) had been conducted for the petitioner during the mercy chance. It is submitted that in respect of the same, a representation dated 05.06.2023 (Annexure P-15) has been given by the petitioner to the respondent-University and at this stage, the petitioner would be satisfied in case the competent authority of the respondent-University considers the representation and takes a decision, in accordance with law, in a time bound manner and if, after considering the same, in case, the plea raised by the petitioner is found to be meritorious, then appropriate relief be granted to the petitioner.

4. Keeping in view the above facts and circumstances of the case, the present petition is disposed of with a direction to the competent authority of the respondent-Kurukshetra University, to consider the representation dated 05.06.2023 (Annexure P-15) made by the petitioner, in accordance with law, as expeditiously as possible, preferably within a period of 4 weeks, from the date of receipt of the certified copy of this order. In case, after considering the same, the plea raised by the petitioner is found to be meritorious, then appropriate relief be granted to the petitioner and in case, the plea of the petitioner is not found to be meritorious, then the same would be liable to be rejected by the respondent-University by passing a speaking order.

5. It is made clear that this Court has not opined on the merits of the case and the competent authority of the respondent-University, would consider and decide the representation independently, in accordance with law.

20.11.2023
D.Bansal

(VIKAS BAHL)
JUDGE

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