

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-27197-2023

Date of decision : 04.12.2023

Jayant Shori

... Petitioner

Versus

Kurukshetra University and others

... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHLPresent: Mr.Sumit Puri, 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 mandamus for directing the respondent University to conduct the 3rd semester Master of Fine Arts theory examinations of the petitioner in accordance with the guidelines for conducting written examination for persons with benchmark disability 2018 issued by the Government of India, Ministry of Social Justice, by providing alternative objective questions in lieu of descriptive questions for hearing impaired persons. A prayer has also been made for directing the respondent University to conduct the 3rd semester Master of Fine Arts theory examination of petitioner in accordance with the guidelines by providing additional time of minimum of one hour for examination of three hours duration. Other prayers have also been made in the present petition.

2. Learned counsel for the petitioner has submitted that for the grievances raised by the petitioner, the petitioner has given a detailed legal

notice dated 28.11.2023 (Annexure P-7) and at this stage, would be satisfied in case the said legal notice is considered by respondent no.2 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 necessary relief be granted to the petitioner.

3. Learned State counsel has submitted that respondent no.2 would consider the said legal notice and decide the same within a period of one week from the date of the receipt of certified copy of the present order.

4. Keeping in view the above said facts and circumstances, the present petition is disposed of with a direction to respondent no.2 to consider the legal notice dated 28.11.2023 of the petitioner and decide the same, in accordance with law, as expeditiously as possible, preferably within a period of one week from the date of the receipt of certified copy of the present order and in case, after considering the same, the plea of the petitioner is found to be meritorious, then necessary relief be granted to the petitioner and in case, the plea of the petitioner is not found to be meritorious, then a speaking order rejecting the same be passed within a period of one week from the date of the receipt of certified copy of the present order.

5. It is made clear that this Court has not opined on the merits of the case and respondent no.2 would consider and decide the legal notice independently, in accordance with law.

(VIKAS BAHL)
JUDGE

December 04, 2023.

Davinder Kumar

Whether speaking / reasoned
Whether reportable

Yes/No
Yes/No