

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(124)

CWP-6415-2024

Date of decision: - 18.03.2024

Abhay Malik

....Petitioner

Versus

Panjab University and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Uday Pratap Singh, Advocate,
for the petitioner.

Mr. Shubham Thakur, Advocate
for the respondents.

VIKAS BAHL, J. (ORAL)

1. Present writ petition has been filed under Article 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondent University to organize special classes to meet the minimum attendance requirement so as to allow the petitioner to appear in the special examination for 1st Semester, conducted for students who were unable to appear in the semester examination due to medical/sports/left out/clash, which are to commence from 1st April, 2024, thereby ensuring the right of the petitioner to academic evaluation and progression.

2. Learned counsel for the petitioner has submitted that as per the University rules (Annexure P-6), the Chairperson of the Department of Laws i.e., respondent No.5 has the power to condone the shortage in the lectures. It is further submitted that the said rules although applicable

for the session 2016-17 but the same are still in force. It is stated that for the grievances raised by the petitioner, the petitioner had given a representation dated 11.03.2024 (Annexure P-10) to the Chairperson, Department of Laws, Panjab University, Chandigarh and has submitted that respondent No.5 be directed to consider the said representation dated 11.03.2024 (Annexure P-10) sympathetically, in a time bound manner. It is further submitted that in case, the pleas raised by the petitioner are found to be meritorious by respondent No.5, then, necessary relief be granted to the petitioner and in case, respondent No.5 is of the opinion that the lectures of the petitioner cannot be condoned either by respondent No.5 or any other authority, then, the petitioner would not further challenge the decision of respondent No.5.

3. Learned counsel for the respondents has submitted that the representation dated 11.03.2024 (Annexure P-10) would be considered by respondent No.5 within a period of 10 days from today, subject to the petitioner not further challenging the same, in case, the decision of the respondent authorities is taken against the petitioner.

4. Keeping in view the above-said facts and circumstances, the present writ petition is disposed of with a direction to respondent No.5 to consider the representation dated 11.03.2024 (Annexure P-10), as expeditiously as possible, preferably, within a period of 10 days from today and in case, the pleas raised by the petitioner are meritorious, then, the appropriate relief be granted to the petitioner. In case, respondent No.5 is of the view that the pleas raised by the petitioner are meritless, then, it would be open to the respondent authorities to reject the said

representation of the petitioner. As undertaken by the petitioner, no further challenge would be made to the said order passed on representation by the petitioner.

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

March 18, 2024
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No