

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

(114)

CWP-8062-2024

Date of Decision: - 09.04.2024

Sarvesh Singh

....Petitioner

Versus

Baba Farid University of Health Sciences and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Ms. Harshmir Kaur Swaitch, Advocate,
for the petitioner.

Mr. TPS Walia, AAG, Punjab.

VIKAS BAHL, J. (ORAL)

1. This is a civil writ petition filed under Article 226 of the Constitution of India for issuance of writ in the nature of mandamus directing the respondents No.1 to 4 to conduct re-evaluation of theory examination answer sheet of the petitioner for re-appear exam (BDS 1st Year General Human Anatomy) (Annexure P-7).

2. Learned counsel for the petitioner has submitted that as per the Dental Council of India BDS Course Regulations, 2007, there is a provision of re-evaluation of theory papers in all years of study of the BDS course and has further submitted that the petitioner would raise all the grievances in a detailed representation addressed to the competent authority of respondent No.1-University and would be satisfied, at this stage, in case, competent authority of respondent No.1-University

considers the said representation, in accordance with law, in a specified time frame and in case, the pleas raised by the petitioner are found to be meritorious, then, grant the appropriate relief.

3. Keeping in view the above-said facts and circumstances, the present petition is disposed of in the following terms: -

- (i) It would be open to the petitioner to give a detailed representation mentioning his grievances to the competent authority of respondent No.1-University within a period of two weeks from today.
- (ii) In case, any such representation is filed by the petitioner, competent authority of respondent No.1-University would consider the same within a period of six weeks from the date of submission of the said representation and in case, after considering the said representation, the competent authority of respondent No.1-University is of the view that the pleas raised by the petitioner are meritorious, then, the appropriate relief be granted to him, as expeditiously as possible. In case, the competent authority of respondent No.1-University is of the view that the pleas raised by the petitioner are meritless, then, a speaking order rejecting the claim be passed within the aforesaid period of six weeks.

4. It is made clear that this Court has not opined on the merits of the case and the competent authority of respondent No.1-University would consider and decide the matter independently, in accordance with law.

April 09, 2024
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(VIKAS BAHL)
JUDGE

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