



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-10875-2024

Date of decision : 10.05.2024

Abhijeet Singh Beniwal

... Petitioner

Versus

Baba Farid University of Health Science and another

... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr.Nitish Bhatia, 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 directing the respondent to grant grace marks in first year as per guidelines of Medical Council of India, New Delhi under the Regulations on Graudate Medical Education, 1997, Rule 10 (Annexure P-5).

2. Learned counsel for the petitioner has submitted that under Regulation 13, para 10, grace marks up to a maximum of five marks may be awarded at the discretion of the University to a student who has failed only in one subject but has passed in all other subjects. It is submitted that the petitioner has failed in one subject and has passed in all other subjects and for the grievances raised by the petitioner, the petitioner had given a representation dated 18.04.2024 (Annexure P-8) and at this stage, would be



satisfied in case the representation is considered by the competent authority of respondent no.1 in a time bound manner and if after considering the same, in case, the pleas raised by the petitioner are found to be meritorious, then necessary relief be granted to the petitioner.

3. Keeping in view the above said facts and circumstances, the present petition is disposed of with a direction to the competent authority of respondent no.1 to consider the representation dated 18.04.2024 (Annexure P-8) of the petitioner and decide the same, in accordance with law, as expeditiously as possible, preferably within a period of one month from the date of the receipt of certified copy of the present order and in case, after considering the same, the pleas of the petitioner are found to be meritorious, then necessary relief be granted to the petitioner and in case, the pleas of the petitioner are not found to be meritorious, then a speaking order rejecting the same be passed within a period of one month from the date of the receipt of certified copy of the present order.

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 would consider and decide the representation independently, in accordance with law.

(VIKAS BAHL)
JUDGE

May 10, 2024
Davinder Kumar

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