



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

LPA No.748 of 2021 (O&M)
Date of Decision: 22.08.2024

Amandeep

...Appellant

Versus

Ansal University and others

...Respondents

CORAM: ***HOB'BLE MR. JUSTICE G.S. SANDHAWALIA***
 HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present:- Mr. Anil Rathee, Advocate
 for the appellant.

 Ms. Shruti Munjal, Advocate
 for respondents No.1 to 3.
 (joined through Video-Conferencing)

 None for respondent No.4.

G.S. Sandhawalia, J.(Oral)

CM No.1831-LPA of 2021

The present application has been moved under Section 41 Rule 3-A CPC read with Section 5 of the Limitation Act for condonation of the delay of 143 days, which has been opposed by filing the reply.

The averments in the application as such are that the judgment was passed by learned Single Bench on 24.02.2020 and thereafter, the Covid Pandemic intervened and the delay as such, thus, taken place.

Keeping in view the judgment of the Apex Court in ***“In Re: Cognizance for Extension of Limitation, 2022(1) Apex Court Judgments (SC) 268***, we find that there are plausible reasons as such to condone the delay and the delay of 143 days in filing the appeal is, hereby, condoned.



CM stands allowed.

LPA No.748 of 2021

The challenge in the present appeal is to the order passed by learned Single Judge on 24.02.2020 in **CWP No.15498 of 2016**, whereby learned Single Judge declined to issue any direction to hold the examination of the M.Tech (Construction Technology Management) on the ground that the stand of the University was that it had refunded the fee for 02 semesters and the examination could not be conducted due to the reason that only 02 students had taken admission in the said course. Resultantly, the finding was recorded that the direction cannot be issued to conduct the classes and hold the examination and the petitioner was given liberty to take appropriate action, in accordance with law, if so advised.

2. Faced with this situation, learned counsel for the appellant submits that since the liberty has already been granted to take resort to the alternative remedy, he does not wish to press the instant appeal in the present facts and circumstances.

3. Accordingly, the present appeal is disposed of in view of the afore-said liberty.

(G.S. SANDHAWALIA)
JUDGE

22.08.2024
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(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned: *Yes*
Whether Reportable: *No*