



CWP-12550-2024

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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-12550-2024

Date of decision : 27.05.2024

Pooja Kumari

... Petitioner

Versus

Punjabi University, Patiala and others

... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr.Sunny Kumar Singla, Advocate
for the petitioner.

Mr.H.S. Batth, Advocate
for respondents no.1 to 3.

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 respondents to issue DMC (Detailed Marks Card) of B.A. (Part-III) (Semester VI) and certificate / final degree of B.A. examination of the present petitioner.
2. Learned counsel for respondents no.1 to 3 has submitted that the petitioner had earlier filed civil writ petition i.e., CWP-15598-2020 in which, on 25.09.2020 a Coordinate Bench of this Court was pleased to pass the following order:-

“Present: Mr.Sunny K. Singla, Advocate for the petitioner(s)
Mr.Ajayvir Singh, Advocate for respondent Nos. 1 to 3

*The matter has been taken up through video-conferencing
in the light of the pandemic Covid-19 situation and as per instructions.*



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Learned counsel for the petitioner states that the petitioner had deposited the examination fees as per schedule with respondent No.4, however, the same was not further remitted in the account of respondent No.2 - Controller of Examinations, Punjabi University, Patiala by respondent No.4. Now for the lapse on the part of respondent no.4, the petitioner is not being allowed to appear in the examination of BA Part -III (Semester-VI), which is scheduled to be held from 26.9.2020 onwards.

Notice of motion.

At this stage, Mr. Ajayvir Singh, Advocate causes representation on behalf of respondent Nos. 1 to 3. A complete set of paper book has already been supplied to him.

Post again on 24.11.2020.

In the meantime, the petitioner be issued provisional roll number and be allowed to appear in the examination as per schedule.

A copy of the order be given to the learned counsel for the petitioner under the signatures of the Bench Secretary of this Court.

25.9.2020”

It is submitted that the issue as to whether the fee had been deposited by the petitioner or the school was the issue in the said case and as per instructions of respondents no.1 to 3, the fee has not been deposited and it is on the said ground that the degree has not been issued to the petitioner. It is submitted that the said issue was not adjudicated as a statement was made on behalf of the petitioner that the matter had become infructuous and was disposed of vide order dated 10.10.2022, which order is reproduced hereinbelow:-

“Learned counsel for the petitioner submits that the relief sought has been granted and, thus, the present writ petition has been rendered infructuous.

The writ petition is disposed of as having been rendered infructuous with liberty to the petitioner to revive the same in case cause of action survives.

10.10.2022”



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Learned counsel for the petitioner has submitted that the petitioner has already deposited fee with the college and apparently the college has not forwarded the same to the University and states that in view of the above, he may be permitted to withdraw the present petition with liberty to move an appropriate application in the above said civil writ petition for recalling the order dated 10.10.2022 with a further prayer for adjudicating the said issue.

3. In view of the statement made by learned counsel for the petitioner, the present petition is dismissed as withdrawn with the aforesaid liberty.

(VIKAS BAHL)
JUDGE

May 27, 2024
Davinder Kumar

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