

**CWP-12744-2024****-1-****IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****(126)****CWP-12744-2024****Date of decision: - 27.05.2024****Simran and others****....Petitioners****Versus****Baba Farid University and others****.....Respondents****CORAM : HON'BLE MR. JUSTICE VIKAS BAHL**

Present:- Mr. Onkar Singh Batalvi, Advocate,
for the petitioners.

**********VIKAS BAHL, J. (ORAL)**

1. This is a Civil Writ Petition filed under Article 226/227 of the Constitution of India for the issue a writ in the nature of certiorari for quashing the impugned result dated 13.05.2024 (Annexure P-1) of practical exams of subject Pharmacology in which petitioners have been declared fail.

2. Learned counsel for the petitioners has submitted that for the grievances raised by the petitioners, the petitioners had given a representation dated 14.05.2024 (Annexure P-2) and even the institute has forwarded the representation dated 14.05.2024 (Annexure P-3) to the competent authority of respondent No.1-University and at this stage, the petitioners would be satisfied, in case, respondent No.1-University takes a final decision on the said two representations, in accordance with law, within a specified time frame and in case, the pleas raised by the

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petitioners are found to be meritorious, then, grant the appropriate relief to the petitioners. It is pointed out that after the filing of the writ petition, the dates i.e. 30.05.2024 and 03.06.2024 are given for Pharmacology Theory exams and has submitted that in case, the petitioners do not appear in the said exams and even the representations of the petitioners are rejected, then, the same would cause serious prejudice to them. It is further submitted that the petitioners be permitted to take the said exams, but the taking of the said exams should not be treated as an estoppel in pursuing the said representations dated 14.05.2024 (Annexures P-2 and P-3) with the competent authority of respondent No.1-University. It is stated that the competent authority of respondent No.1-University may take an independent decision on the same.

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

- (i) The competent authority of respondent No.1-University would consider the representations dated 14.05.2024 (Annexures P-2 and P-3) within a period of three weeks from the date of receipt of certified copy of the present order and in case, the competent authority of respondent No.1-University is of the view that the pleas raised by the petitioners are meritorious, then, the appropriate relief be granted to the petitioners, as expeditiously as possible. In case, the competent authority of respondent No.1-University is of the view that the pleas raised by the petitioners are meritless, then, a speaking order rejecting the claim be

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passed within the aforesaid period of three weeks.

- (ii) It would be open to the petitioners to take the Pharmacology Theory exams which as per the case of the petitioner are to be held on 30.05.2024 and 03.06.2024 and the appearance of the petitioners in the said exams would not be construed as an estoppel on the petitioners pursuing the representations dated 14.05.2024 (Annexures P-2 and P-3).

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.

May 27, 2024*naresh.k***(VIKAS BAHL)
JUDGE**

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No