



CWP-12714-2024

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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-12714-2024
Date of decision : 27.05.2024

David ... Petitioner

Versus

Panjab University, Chandigarh and others ... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr.Tanvir Singh Grewal, 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 certiorari for setting aside the order dated 16.04.2024 (Annexure P-3) passed by respondent no.4 whereby the petitioner has been disqualified from appearing in any University examination and for setting aside the decision qua the petitioner in order dated 16.05.2024 (Annexure P-5) passed by respondent no.3.

2. Learned counsel for the petitioner has submitted that after passing of the impugned orders dated 06.02.2024 and 16.04.2024, the petitioner has given a mercy representation dated 17.05.2024 (Annexure P-6) to the competent authority of respondent-University in which primary prayer made by the petitioner is for reducing the punishment. It is submitted that the petitioner is a meritorious student and has never earlier indulged in cheating and there is no complaint or proceeding against him prior to the present incident. It is submitted that the petitioner has utmost respect for



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his teachers and has thus, prayed that the said representation of the petitioner be considered sympathetically. It is stated that in case the representation dated 17.05.2024 is not considered favourably by respondent-University, the petitioner would not further challenge the said decision and would respect the same.

3. Keeping in view the above said facts and circumstances and the limited prayer made by learned counsel for the petitioner before this Court, the present petition is disposed of with a direction to the competent authority of respondent no.1 to consider the representation dated 17.05.2024 (Annexure P-6) as expeditiously as possible, preferably within a period of one month from the date of 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 it would be open to the competent authority of respondent no.1 to reject the representation and the said rejection, as undertaken by learned counsel for the petitioner before this Court, would not be further challenged by the petitioner.

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 27, 2024
Davinder Kumar