

LPA-2898-2024(O&M) 1

148

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

LPA-2898-2024(O&M)

Date of Decision: 03.12.2024

Randeep Singh

. . . . Appellant

Vs.

Panjab University Chandigarh and others

. . . . Respondents

CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA
HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Mohit Jaggi, Advocate for the appellant.

SANJEEV PRAKASH SHARMA, J.(Oral)

1. Present appeal has been preferred by the appellant assailing the judgment dated 05.11.2024, passed by the learned Single Judge, whereby the writ petition preferred by the appellant was dismissed and the punishment awarded by the University for cheating, whereby he was disqualified for appearing in any University examination for two years, was held justified.
2. Learned counsel for the appellant submits that a lenient view may be taken and the appellant be allowed to appear in examination after reducing period of disqualification from two years to one year. It has been stated that although the regulations 5(a) and 8 of the University Calendar Volume II provide for disqualification for two years but the same is discretionary and for the said purpose he has also invited attention to a decision taken by the University in relation to another student, who was found cheating in the final year of LLB examination.
3. We have considered the submissions and also carefully gone through the judgment passed by the Single Judge and find that the provisions

LPA-2898-2024(O&M)

2

of regulations have been noticed by the Single Judge and after considering the said regulations, the Single Judge found no rule for exercising discretion to reduce the punishment.

4. We too are in agreement with the Single Judge that taking into consideration the facts of the case that the appellant in his initial stage of LLB course has been found cheating, and considering the ethics to be maintained in the legal profession, no rule is available for exercising discretion or showing any relaxation to such a delinquent.

We are also of firm view that once there is no provision under the regulation, then there is no discretion available to any authority to reduce the said punishment. The example given by the learned counsel for the appellant relating to another student namely, Nancy Aggarwal for whom the Syndicate reduced the punishment, is found to be an exception and the Syndicate too has mentioned that same should not be treated as a precedent. We have no hesitation to disapprove the approach of the Syndicate as all students are to be treated in similar fashion and strictly in accordance with the regulations and no benefit can be granted to the appellant, even if someone else has been given the said benefit illegally. The present appeal is misconceived and is hereby dismissed.

5. All pending applications also stand disposed of accordingly.

(SANJEEV PRAKASH SHARMA)

JUDGE

(SANJAY VASHISTH)

JUDGE

December 03, 2024

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1. Whether speaking/reasoned?

Yes/No
2. Whether reportable?

Yes/No