

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

225

2025:PHHC:168534-DB



LPA No. 183 of 2023 (O&M)

Date of decision: 3rd December, 2025

Yogesh Dutt Sharma

..Appellants

Versus

The State of Haryana and others

..Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI
HON'BLE MR. JUSTICE VIKAS SURI

Present: Mr. Sanyam Khetarpal, Advocate for the appellant.

Mr. Aman Mittal, DAG Haryana.

Mr. Nilesh Kant Goyal, Advocate for
Mr. AS Virk, Advocate for respondents No. 2 to 4.

HARSIMRAN SINGH SETHI, J(Oral)

1. In the present appeal, the challenge is to the order dated 17.10.2022 passed by learned Single Judge, by which the prayer of the appellant to allow him to appear in the academic subjects of the LLM to enhance his score has been disallowed on the ground that 5 years have already elapsed from the date of the end of course and only a mercy chance can be allowed, which was allowed by the learned Single Judge.

2. Learned counsel for the appellant submits that the learned Single Judge failed to appreciate that when the mark sheet was issued on 08.09.2014 in the subject of Dissertation, he was shown absent whereas the marks of the Dissertation were only given to him on 11.09.2019, hence, the chances to avail or appear in the academic course again should be taken from the year 2019 and not from 2014 so as to count 5 years.

3. We have heard learned counsel for the parties and have gone the record with their able assistance.

4. It is conceded position that the mark sheets copies of which have been appended as Annexures P-1 and P-2, were given to the petitioner in April 2015 and September 2014 respectively, wherein the marks secured by the appellant in the academic subject were depicted. In case the appellant wanted to enhance his score in the said subjects, he could have applied immediately upon noticing of the marks secured by him but no such effort was made. It is argued that only when the marks for Dissertation were given, the appellant decided to improve his percentage to 55%, sought further chance to appear in the academic course but no improvement in Dissertation can be done. Only improvement in academic subject is available and that too within 5 years of completion of course, hence, as the marks of academic subjects were available, appellant could have applied for improvement upto 2019 as academic course ended in December, 2014.

5. Learned Single Judge, has rightly adjudicated that the mark of such academic course were available to the appellant right from the year 2014, onwards but for a period of 5 years, no such action was taken, hence, he can only be allowed the mercy chance, which was allowed.

6. Learned counsel for the appellant has not been able to show that there is perversity in the findings recorded by the learned Single Judge on the said aspect.

7. Further the period of 5 years has rightly been counted from the date of completion of course which was December, 2014, once the

said fact is not disputed and the improvement can only be done within a period of 5 years qua academic subjects but the said claim raised was clearly beyond the limitation fixed especially when in the academic subjects in which the appellant wants to improve, the result of the said subjects was within his knowledge starting from the year 2014 onward till the limitation ended in December, 2019.

- 8. That being so, no ground is made out for any interference.
- 9. Dismissed.
- 10. Pending application(s), if any, stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

3rd December, 2025

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(VIKAS SURI)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No