

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

107

**(I) CWP-20359-2023
Date of Decision : April 08, 2025**

MEHRI MALEKI DIZICHEH -PETITIONER

V/S

UNION OF INDIA & ORS -RESPONDENTS

(II) CWP-970-2023 (O&M)

MEHRI MALEKI DIZICHEH -PETITIONER

V/S

REGISTRAR, PANJAB UNIVERSITY & ORS -RESPONDENTS

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Deep Inder Singh Walia, Advocate
for the petitioner.

Mr. Satya Pal Jain, Addl. Solicitor General of India, with
Mr. Arvind Seth, Sr. Panel Counsel,
for the respondent(s)-U.O.I.

Mr. Indresh Goel, Advocate
for the respondents- Panjab University (in CWP-970-2023).

KULDEEP TIWARI, J. (ORAL)

1. Both these writ petitions are amenable for being decided through a common verdict, as the same have been instituted by a common petitioner, craving for issuance of directions upon the respondents to:- (i) grant her stay visa for one year till the completion of her course; (ii) waive off the penalty imposed upon her for overstay; (iii) to decide her representation dated 05.12.2022; (iv) to issue her a bona fide student certificate, in terms of the order dated 08.08.2022, for extension of her visa; and (v) to permit her to access the Hostel, which has been illegally

denied to her.

2. Succinctly stated; the petitioner, a foreign national, enrolled herself as a student of Ph.D Research Scholar in the Department of History in Panjab University, Chandigarh, in 2012, under the guidance of Prof. Rajiv Lochan. The registration number of the petitioner is 2012-EZ-5, bearing ID No. QBOE35502413. As per Rules, the petitioner had to complete her study/course within eight years, however, owing to various reasons including outbreak of COVID-19 pandemic, the petitioner could not complete her study/course within the stipulated period. The petitioner made request for extension of time to complete her study/course, whereupon, the University took a sympathetic view and granted her a golden chance, vide Circular No.10913-11062 dated 22.09.2022, to submit her thesis upto 30.12.2022. However, the petitioner failed to reap the fruits of this golden chance and did not submit her thesis.

3. During the course of hearing before this Court on 24.02.2025, this Court, while taking into account the various difficulties expressed by the petitioner and her specific stand that she would submit her thesis within 15 days therefrom and on humanitarian grounds, directed the University to reconsider the case of the petitioner as to whether there is any possibility to grant her a final chance to submit her thesis. The relevant extract of the order dated 24.02.2025 is reproduced hereunder:-

“During the course of arguments, it reflects that the Panjab University, Chandigarh, had permitted the petitioner to submit her thesis uptill 30.6.2022, in the form of golden chance, vide circular No. 540 dated 7.12.2021. It is also not under dispute that the room of the petitioner was locked by the respondent-University on dated 9.4.2022 on account of non depositing of dues, it is submitted by the

learned counsel for the petitioner, that because of the said reason, she was unable to submit her thesis, as she did not have any access to her belongings, which were locked by the respondent-University. He further submits that the petitioner was permitted to access her belongings only with the intervention of this Court by drawing an order dated 16.9.2024, vide which the petitioner was allowed to visit the office of Dean Student Welfare (Women) on dated 17.9.2024 at 11.30 AM, and only on that day, she was handed over all her belongings. He also submits that the petitioner is still ready and willing to deposit her thesis, within 15 days, in case an apt mandamus is passed upon the respondent-University.

Before this Court proceeds to pass any order on merits, this Court deems apt at this stage, to direct the learned counsel who is representing the Panjab University, Chandigarh to have instructions from the quarter concerned, as to whether, considering the abovementioned circumstances, which clearly reflected that the petitioner, was stuck in a situation, beyond her control, and was unable to submit her thesis, can now be permitted to submit her thesis within 15 days, by giving the petitioner a special chance. The respondent-Panjab University, Chandigarh shall also take into consideration that the petitioner is still living illegally on the land of this country, and the only reason for her to continue is that she is unable to submit her thesis, therefore, in order to give quietus to the entire dispute, with regard to her over stay in this country, as well as to allow her to submit thesis before the authority concerned, an apt instructions be conveyed to this Court on the next date of hearing.

Adjourned to 10.3.2025.

To be shown immediately after the urgent list.

No request for adjournment shall be entertained on the next date of hearing.

A photocopy of this order be placed on the file of the connected case.”

4. The hereinabove extracted order was drawn in order to give quietus the entire dispute, as this Court believed that, after submissions of

her thesis, the petitioner would not overstay and would leave the Indian soil.

5. In deference to the directions of this Court, the University considered the case of the petitioner sympathetically and while treating her case as an exceptional case, a conscious decision was taken by it, in its meeting held on 06.03.2025, to grant permission to the petitioner to submit her thesis within 15 days. Moreover, considering the concession granted by the University, this Court also allowed the petitioner to have access to the digital library and also to her documents.

6. Today, the learned counsel for the Panjab University informs this Court that, despite all the facilities becoming made available to the petitioner, yet she failed to submit her thesis within the stipulated period. He further submits that, just a day before, the petitioner has submitted her thesis, but that too, to the Supervisor, who has only to examine the format thereof and he/she is not the competent person. Therefore, the thesis are yet to be submitted to the competent person.

7. The learned counsel for the petitioner although fairly admits the failure on the part of the petitioner to submit the thesis, however, he requests for grant of a last opportunity to the petitioner to submit her thesis. This request of the petitioner's counsel is not tenable under any law. The petitioner enrolled herself as a student way back in 2012 and despite lapse of approx. 12/13 years, she has failed to complete her study/course and to submit her thesis. Moreover, despite the petitioner becoming granted extraordinary chances, which were not in accordance with the University's calendar, she has failed to submit her thesis.

8. At this stage, the learned counsel for the petitioner informs this

Court that, the petitioner does not have any intent to leave the Indian soil inasmuch as, owing to threats in her native country, she has been given the status of “refugee” by the United Nations High Commissioner for Refugees. He further informs that, the petitioner has applied before the Indian authorities for granting her permission to stay as refugee.

9. Be that as it may, this Court does not find any merit in these writ petitions and does not find any ground to grant any further extension to the petitioner to submit her thesis. Consequently, these writ petitions are **dismissed**. However, liberty is reserved to the petitioner to, in case she believes she is entitled to refugee status, approach the authority(ies) concerned, whereupon, the latter is also at liberty to take apt decision in accordance with law.

10. Pending application(s) stand disposed of accordingly.

11. A photocopy of this order be placed on file of connected case.

April 08, 2025
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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No