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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 17283/2024**

**PRATEEK VYAS**

.....Petitioner

Through: Mr. Sameer Chandra, Mr. Aryan  
Tomar, Mr. Shubham Parashar, Mr.  
Himanshu Yadav, Advs.

versus

**UNIVERSITY OF DELHI & ORS.**

.....Respondents

Through: Mr. Anshuman Mehrotra, Adv. for R-  
1, 3 & 7.  
Mr. Shashank Dixit, CGSC with Mr.  
Rohit Gupta, Adv. for R-2.

**CORAM:**

**HON'BLE MR. JUSTICE DINESH KUMAR SHARMA**

**ORDER**

**09.01.2025**

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Learned counsel for the respondent submits that as per the Scheme of Examination and Courses of Reading for Restructured Courses at Under-Graduate Level rule position is as under:

*“(ii) **Second Year:** Only those candidates who have perused a regular prescribed course of study for the second Academic year will be allowed to appear in the Annual Examination of second year. He candidate will be promoted from second year to third year only when he/she is declared to hav passed the examinations in at least three theory subjects and all the practicals of second year. The candidate will have to pass the examinations in the subjects in which*



he/she fails in Supplementary and subsequent annual examination. If he/she fails in the Supplementary Examination he/she will not be allowed to continue in the third year.”

Learned counsel submits that since the petitioner failed to clear paper code-8 Biomechanics & Kinesiology in the supplementary examination, he is liable to be reverted to the second year.

Learned counsel further submits that the petitioner has not challenged the rule and therefore the present petition is not maintainable.

Learned counsel for the respondent seeks time to file the detailed reply.

Let the reply be filed.

List on 28.02.2025.

**At this Stage:**

Learned counsel for the petitioner seeks permission to withdraw the present petition with liberty to file afresh petition challenging the rule as aforementioned.

Liberty granted.

In view of the submissions made, the present petition stands dismissed as withdrawn.

The date fixed i.e., 28.02.2025 stands cancelled.

**DINESH KUMAR SHARMA, J**  
**JANUARY 9, 2025/AR/KR..**