

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

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CWP-36599-2025

Date of Decision : January 15, 2026

RUKSANA

-PETITIONER

V/S

PANJAB UNIVERSITY AND OTHERS

-RESPONDENTS

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Talim Hussain, Advocate
for the petitioner.

Mr. Akshay Kumar Goel, Advocate
for the respondents.

KULDEEP TIWARI, J. (ORAL)

1. Through the instant writ petition, the petitioner seeks issuance of a direction to the respondents (hereinafter referred to as “the Panjab University”) to grant her a special opportunity to appear in the examination of “Law of Crimes-II (Old)”.
2. The petitioner is a student of the LL.B. (Three-Year) Course of the Panjab University and has successfully cleared all semesters and examinations except one paper, namely Law of Crimes-II (Old) of the 4th Semester. In her first attempt, she could not qualify the said paper and, accordingly, applied for re-appearance in the examination, which was held on 05.05.2025. Although the petitioner duly appeared in the said examination, the invigilator at the examination centre handed over to her the question paper of “The Bharatiya Nyaya Sanhita-II (New)” instead of the question paper of “Law of Crimes-II (Old)”. Left with no alternative, the petitioner attempted the question paper so supplied to her. The result

of the said examination was declared on 06.10.2025, wherein the petitioner was shown as “absent”, as she had not attempted the paper of Law of Crimes-II (Old).

3. The hardship of the petitioner was further aggravated inasmuch as prior to the declaration of her result on 06.10.2025, the Panjab University had already notified the schedule for the re-appear examination in September, 2025. Since the petitioner’s result was declared much after the fixation of the re-appear examination schedule, she was deprived of the opportunity to appear in the said examination, which was held on 01.09.2025. Consequently, the petitioner made several representations to the Panjab University seeking conduct of a special examination, however, the same did not yield any positive outcome. Instead, she was informed that the next re-appear examination for Law of Crimes-II (Old) would be held only in May, 2026.

4. Learned counsel for the petitioner submits that the petitioner cannot be made to suffer for no fault of her own, as the wrong question paper was supplied to her by the invigilator appointed by the Panjab University. Having been handed the incorrect question paper, the petitioner had no option but to attempt the same. It is further contended that despite immediately bringing the error to the notice of the Panjab University, no corrective steps were taken. Moreover, since the petitioner’s result was declared on 06.10.2025, i.e. after the schedule for the re-appear examination had already been finalized, she was prevented from applying for the said examination.

5. *Per contra*, learned counsel for the Panjab University vehemently opposes the submissions advanced on behalf of the petitioner.

He submits that the Panjab University is strictly governed by its Calendar framed by the statutory bodies. Reliance is placed on Regulation 4 of the Panjab University Calendar, applicable from the academic session 2016-2017, which provides that odd semester examinations (regular and re-appear), i.e. 1st, 3rd and 5th semesters, are to be conducted in the month of November, whereas even semester examinations (regular and re-appear), i.e. 2nd, 4th and 6th semesters, are to be conducted in the month of May. It is contended that in view of the said regulation, the University is precluded from conducting a special examination for the petitioner in January, 2026.

6. Continuing his submissions, learned counsel for the Panjab University asserts that both the question papers, namely “The Bharatiya Nyaya Sanhita-II (New)” and “Law of Crimes-II (Old)”, were available with the invigilator, and it was the petitioner who mistakenly attempted the question paper of “The Bharatiya Nyaya Sanhita-II (New)” instead of “Law of Crimes-II (Old)”. It is further submitted that out of three students appearing at the said examination centre, two attempted the paper of Law of Crimes-II (Old), whereas the petitioner alone attempted the paper of The Bharatiya Nyaya Sanhita-II (New).

7. Lastly, learned counsel for the Panjab University submits that the examination conducted on 01.09.2025 was meant for students who had missed their papers due to clash of examinations, medical reasons, sports events, or those who were left out in May, 2025. It is argued that since the petitioner was aware that she had attempted an incorrect question paper, as is evident from her representation (Annexure R-5), wherein she herself admitted the said mistake, she could have

applied in time for the examination held on 01.09.2025. Therefore, it is contended that the petitioner cannot now seek a direction from this Court to conduct a special examination in contravention of Regulation 4 of the Panjab University Calendar.

8. This Court has heard the submissions made by learned counsel for the contesting litigants and perused the record.

9. In the considered opinion of this Court, the petitioner is suffering solely on account of an irregularity committed at the examination centre. Once the Panjab University decided to conduct a combined examination for students of the old and new courses, the invigilator was required to exercise due diligence while distributing the question papers. Moreover, there ought to have been a mechanism to rectify any error occurring during the conduct of the examination, however, no such corrective exercise was undertaken by the Panjab University. For the lapse attributable to the Panjab University and its functionaries, the petitioner cannot be made to suffer, particularly when the consequence would be loss of an entire academic year of the petitioner.

10. This Court has also taken into consideration the constraint projected by the Panjab University on account of Regulation 4 of its Calendar. However, given that the fault lies with the Panjab University itself, this Court is of the view that Regulation 4 is intended to regulate the examination schedule and cannot be construed as a bar against rectification of its mistake, especially when the academic career of a student is at stake. The academic future of a student deserves precedence over administrative inconvenience of the Panjab University.

11. Consequently, the instant writ petition is **allowed**, and the Panjab University is directed to conduct a special examination of Law of Crimes-II (Old) for the petitioner positively in the month of January, 2026.

January 15, 2026
devinder

(KULDEEP TIWARI)
JUDGE

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