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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 4356/2026 & CM APPL. 27999/2026, CM APPL.**
21213/2026

HARJEET KAUR

.....Petitioner

Through: Mr Sunil Satyarthi, Mr Amitanshu
Satyarthi, Mr Kaibalya Kumar Ojha, Advs.
versus

UNIVERSITY OF DELHI AND ORS

.....Respondents

Through: Mr Ankur Chhibber, Mr Anshuman
Mehrotra, Ms Muskaan Dutta, Mr Arjun Pawar, Mr
Amrit Koul, Mr Prahil Sharma and Ms Aditi
Kapoor, Advs. for R1&3-8

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

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28.04.2026

1. This is a writ petition filed under Article 226 of the Constitution of India seeking the following prayers:-

- “a) Direct the Respondents to permit the Petitioner to attend Fourth Year classes, including internal assessments, practicals, and clinical training;*
- b) Permit the Petitioner to appear in the Fourth Year Annual Examinations;*
- c) Grant appropriate relaxation/condonation in attendance shortage, if any, arising due to pendency of litigation, and permit the Petitioner to make up attendance through additional classes;*
- d) Permit the Petitioner to appear in supplementary*



examinations for pending Third Year subjects during the Fourth Year;

e) Direct the Respondents to include the Petitioner's name for internship allocation and permit her to undertake internship in accordance with the course schedule;

f) Issue the appropriate direction to the respondents to grant the grace marks of 8 in view of the policy of the University. ...”

2. The case of the petitioner is that the petitioner is a student pursuing a Bachelor of Occupational Therapy at respondent No. 2, i.e., Pandit Deendayal Upadhyaya National Institute for Persons with Physical Disabilities, which is affiliated to respondent No. 1 i.e., University of Delhi. The petitioner appeared in 2nd year annual examinations held in July/August, 2024 but due to a miscalculation of attendance by the respondents, she was not permitted to appear in the subjects “General and Health Psychology” and was consequently marked absent. The result declared on 25.11.2024 reflected her as unsuccessful in two subjects namely “General and Health Psychology” and “Orthopaedics”.

3. The petitioner appeared in the supplementary examinations held in March, 2025 and cleared “General and Health Psychology”, but could not clear “Orthopaedics”. Hence, the petitioner was debarred from appearing in her 3rd year annual examinations.

4. Aggrieved by the same, the petitioner filed a W.P.(C.) No. 10588/2025, wherein *vide* Order dated 23.07.2025, the petitioner was permitted to appear in 3rd year annual examinations but since the Order dated 23.07.2025 was



passed on the same day when the examination for “General Medicine” was held, the petitioner could not appear in the same.

5. Thereafter, *vide* order dated 02.12.2025, this Court permitted the petitioner to reappear in the supplementary examination for “Orthopaedics”, which she cleared as reflected in the result dated 25.02.2026. The result of the 3rd year annual examinations was declared on 02.03.2026, wherein the petitioner cleared all her subjects except “General Medicine” and “Fundamentals of OT-II”.

6. Hence, the present petition.

7. Mr. Satyarthi, learned counsel for the petitioner, draws my attention to the “Scheme of Examination and Courses of Reading for Restructured Courses at Under-Graduate Level” and more particularly provision No. 5(a)(iii), which reads as under:-

“(iii) Third Year: Only those candidates who have persued a regular prescribed course of study for the third Academic year will be allowed to appear in the Annual Examination of third year. The candidate will be promoted from third year to fourth year only when he/she is declared to have passed the examinations in at least three theory subjects and all the practicals of third 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 fourth year.”



8. He states that as per the said provision (reproduced above) the petitioner should be promoted to the 4th year and be permitted to take the annual examination in June, 2026 for the 3rd year.

9. Mr. Chhibber, learned counsel for the respondent Nos. 1 and 3 to 8, opposes the present petition.

10. I have heard learned counsels for the parties.

11. A perusal of the provision, quoted above, shows that a candidate in order to be promoted to the 4th year is required to clear the supplementary examinations (in the papers which the petitioner could not clear in the annual examination). In the present case, the supplementary examination for the 3rd year took place in January, 2026 and since, the result of the petitioner for the 3rd year was declared only on 02.03.2026, the petitioner could not appear in the supplementary examination.

12. That being so, the petitioner can now only appear in the examination (for backlog papers) in the final examination which is to be held in June, 2026.

13. Additionally, even as per the learned counsel for the petitioner, the classes for the 4th year commenced in October, 2025 and to till today, i.e., 28.04.2026, that is a period of more than 6 months, the petitioner has not attended a single class/lecture. (Mr. Satyarthi, learned counsel for the petitioner, states that the petitioner has not been allowed to attend).

14. Nevertheless, the Court cannot be oblivious to the fact that a student who has not attended a single class/lecture of the 4th year cannot be permitted to take the examination for that year.

15. For the said reasons, I am unable to agree with the contentions of the petitioner and the petitioner in terms of the rule will be required to clear her



backlog in the final examination for 3rd year which is to be held in June, 2026 only *vis-à-vis* the subjects, which she did not clear in the result declared on 02.03.2026.

16. The present petition is disposed of in aforesaid terms, along with pending applications, if any.

JASMEET SINGH, J

APRIL 28, 2026/AS