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

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Date of Decision: 14.05.2026+ **LPA 361/2026**

AMAN BANSAL

.....Appellant

Through: Mr. Gaurav Arya, Mr. Harsh Goyal,
Mr. Naveen Bamel, Mr. Yuvraj, Mr.
Aakarshak Rathi and Mr. Manav
Trivedi, Advocates.

versus

UNIVERSITY OF DELHI & ORS.

.....Respondents

Through: Mr. Preet Pal Singh, Ms. Tanupreet
Kaur, Mr. Gaurav, Ms. Simran
Kumari, Ms. Pooja and Ms. Medha
Sharma, Advocates for BCI.**CORAM:****HON'BLE THE CHIEF JUSTICE****HON'BLE MR. JUSTICE TEJAS KARIA****TEJAS KARIA, J. (ORAL)****CM APPL. 32614/2026 (Condonation of delay)**

1. This Application has been filed on behalf of the Appellant under Section 5 of the Limitation Act, 1963 seeking condonation of delay of 23 days in filing the present Appeal.
2. For the reasons stated in the Application, the same is allowed. The delay of 23 days in filing the present Appeal is hereby condoned.
3. The Application stands disposed of.

CM APPL. 32615/2026 (Exemption)

4. Exemption is allowed, subject to all just exceptions.
5. The Application stands disposed of.

**LPA 361/2026**

6. The present Letters Patent Appeal has been preferred against the judgment and order dated 18.03.2026 (“**Impugned Order**”) passed in W.P.(C) 3508/2026 (“**Writ Petition**”), whereby the Writ Petition, which sought directions to the Respondents to forthwith declare the Petitioners’ Semester-II results and allocate an appropriate section in Semester-IV, was disposed of with a direction to declare the Appellant’s Semester-II examination result forthwith and, if the Appellant were found eligible, he would be permitted to take admission in Semester-III. However, the relief sought by the Appellant for admission to Semester-IV, without having attended any classes or appeared in the Semester-III examinations, was declined on the ground that non-attendance of even a single class cannot be equated with a mere shortage of attendance as the benefit of the judgment dated 03.11.2025 passed by this Court in *Courts on its Own Motion Re: Suicide Committed by Sushant Rohilla, Law Student of I.P. University* in W.P.(CRL) 793/2017 would not be available to the Appellant.

7. The Appellant has assailed the Impugned Order to the extent that the consequential relief necessary to restore his academic continuity and progression has been denied, inasmuch as no direction has been issued to the Respondents to admit the Appellant to Semester-IV, to conduct supplementary examinations for Semester-III, and to adjust the re-admission fee paid by the Appellant for Semester-II against the fee payable for Semester-IV, with refund of any excess amount.

8. The Appellant is a student of the LL.B. programme at Law Centre-I, Faculty of Law, University of Delhi, and had cleared all five papers of Semester-I, securing 354 out of 500 marks. In Semester-II, the Appellant



was detained on the ground of shortage of attendance as it was recorded at 27.58%. However, pursuant to the recommendation of the Committee constituted by the Respondents in terms of the official notice dated 27.05.2025, the Appellant was provisionally permitted to appear in the Semester-II examinations, subject to the outcome of the Committee proceedings. Although the Appellant appeared in the Semester-II examinations, his result was withheld and he was denied admission to Semester-III. Consequently, the Appellant was unable to attend Semester-III classes or appear in the Semester-III examinations.

9. The Appellant has contended that, despite repeated representations, no final decision of the Committee proceedings was ever communicated to him. Thereafter, notwithstanding that the Appellant had undertaken the Semester-II examinations and that no allegation of misconduct or malpractice was ever levelled against him, he took re-admission in Semester-II and deposited re-admission fees amounting to ₹7,130/- on 10.01.2026, with a view to avoiding academic discontinuity.

10. The Appellant thereafter approached this Court by way of the Writ Petition. *Vide* the Impugned Order, the Respondents were directed to immediately declare the Semester-II results. However, the Respondent did not promote the Appellant to Semester-III to afford academic continuity.

11. In the Impugned Order, the learned Single Judge declined to grant consequential relief on the ground that the Appellant had neither attended the Semester-III classes nor appeared in the Semester-III examinations.

12. It is the Appellant's case that he was denied admission to Semester-III as a direct consequence of the withholding of his Semester-II results. Learned counsel for the Appellant submitted that, in terms of the Prospectus



governing the LL.B. programme, a student is eligible for promotion to the Third Term upon having passed at least five papers in the First and Second Term examinations taken cumulatively. It was further submitted that, since the Appellant had admittedly passed all five papers of Semester-I and had undertaken the Semester-II examinations pursuant to the Respondents' own permission notice, the Respondents ought to have granted him admission to Semester-III notwithstanding the non-declaration of the Semester-II results.

13. Learned counsel for the Appellant further submitted that similarly situated students have been permitted to continue their academic progression and to appear in higher-semester examinations despite not having appeared in the intervening odd-semester examinations.

14. The learned Counsel for the Respondents submitted that the result of Semester-II has been declared as per direction in the Impugned Order, however, the relief sought by the Appellant for granting admission into Semester-IV cannot be accepted as held by the Co-ordinate Bench of this Court in case of **Harsh Meena & Ors. v. University of Delhi & Ors.** [LPA 740/2025], wherein *vide* order dated 04.12.2025, the appeal was dismissed while observing as under:

“We may also note that permitting students to sit for examinations who have not attended even a single class would not augur well in the public perception. In fact, it may be discouraging to all those sincere students who not only attended their classes but also ensured that they are not short of attendance. Permitting such students would also be a premium to clear indiscipline and insincerity. The appellants being the students of law, ought to have been more sincere in attending classes and its unfathomable as to how the students who have not attended even a single class would be able to sit for the examination.”



15. We have heard the learned Counsel for the Parties and perused the Impugned Order.

16. The sole issue that arises for consideration is whether the Appellant can be permitted to appear in the Semester-IV examinations despite having neither attended any classes nor appeared in the examinations for Semester-III.

17. In the facts of the present case, the Appellant had a shortage of attendance in Semester-II. Notwithstanding the same, he was provisionally permitted to appear in the Semester-II examinations held in May–June 2025, subject to the outcome of the proceedings before the Committee constituted by the Respondents. Upon completion of the Semester-II examinations, the Appellant's result was withheld. Consequently, the Appellant was denied promotion to Semester-III in August 2025 and was also precluded from appearing in the Semester-III examinations in December 2025.

18. Thereafter, the Appellant took re-admission in Semester-II and resumed classes in January 2026. Subsequently, in March 2026, the Appellant instituted the Writ Petition seeking, *inter alia*, declaration of his Semester-II result and permission to appear in the Semester-IV examinations in the interest of maintaining academic continuity.

19. Although the learned Single Judge granted the relief of declaration of the Semester-II result, relying upon the decision in ***Sushant Rohilla*** (*supra*), the prayer for permitting the Appellant to appear in the Semester-IV examinations was declined on the ground that the facts of the present case were distinguishable. It was observed that, unlike in ***Sushant Rohilla*** (*supra*), the Appellant had neither attended a single class in Semester-III nor cleared the examinations for that semester. The learned Single Judge further



held that no parity could be drawn between nil attendance and mere shortage of attendance and, on that basis, declined the consequential relief of admission to Semester-IV.

20. We are of the considered view that students, who have neither attended even a single class in a particular semester nor appeared in the examinations for that semester, cannot claim the benefit of progression to the next semester, even where the denial of admission was for reasons not attributable to them. In the present case, the Appellant had a shortage of attendance in Semester-II and was, therefore, only provisionally permitted to appear in the Semester-II examinations, subject to the outcome of the proceedings before the Committee constituted by the Respondents. Consequently, the Appellant was not granted admission to Semester-III and did not attend any classes for that semester.

21. In view of the above, the Appellant cannot be permitted to bypass an entire semester without attending a single class by placing reliance upon the decision in ***Sushant Rohilla*** (*supra*), which dealt with a case of shortage of attendance and not one of nil attendance. Accordingly, there is no parity between the Appellant's case of 0% attendance and cases involving shortage of attendance. The benefit of the decision in ***Sushant Rohilla*** (*supra*) cannot be extended to students who neither took admission to nor attended any classes in the relevant semester, as the ratio of the said decision was confined to situations where the students fell short of the prescribed minimum attendance in that semester.

22. Accordingly, while the learned Single Judge rightly granted relief to the Appellant by directing the Respondents to immediately declare the Semester-II result, the further relief of admission to the next semester by



skipping the intervening semester, in which the Appellant had not taken admission, was also rightly declined.

23. The submission advanced on behalf of the Appellant that under the Prospectus governing the LL.B. programme, he ought to have been granted admission to Semester-III since he had cleared all five papers of Semester-I and the requirement for promotion to Semester-III was the cumulative passing of five papers in the Semester-I and Semester-II examinations, cannot be accepted at this stage. The Appellant did not approach this Court during the period when Semester-III was in progress by placing reliance on the said clause of the Prospectus. Instead, the Appellant allowed Semester-III to conclude, took re-admission in Semester-II, and approached this Court only when Semester-IV was already underway. In these circumstances, and having regard to the Appellant's inaction, the relief sought in the Writ Petition for direct admission to Semester-IV was rightly rejected.

24. In any event, as the Appellant did not attend even a single class in Semester-III, he cannot be permitted to appear in supplementary examinations for Semester-III and, on that basis, seek admission to Semester-IV by relying upon the decision in *Sushant Rohilla* (*supra*).

25. For the aforesaid reasons, no ground is made out for interference with the Impugned Order. The Appeal is, accordingly, dismissed. There shall be no order as to costs.

TEJAS KARIA, J

DEVENDRA KUMAR UPADHYAYA, CJ

MAY 14, 2026/sms