
(2021) 02 UK CK 0047

In the Uttarakhand High Court

Case No : Writ Petition (M/S) No. 416 Of 2021

Akshyata Ojha

APPELLANT

Vs

State Of Uttarakhand And Others

RESPONDENT

Date of Decision : 22-02-2021

Acts Referred:

Citation : (2021) 02 UK CK 0047

Hon'ble Judges : Manoj Kumar Tiwari, J

Bench : Single Bench

Advocate : N.K. Papnoi, Jitendra Kumar, T.S. Phartiyal, B.D. Upadhayaya, Navin Tiwari, Vikas Pande, Sandeep Tiwari

Final Decision : Disposed Of

Judgement

Manoj Kumar Tiwari, J

1. Petitioner is a student of Law in Chanakya Law College, Rudrapur, District Udham Singh Nagar. According to her, due to COVID-19, she could

not appear in the Second Semester Examination conducted by Kumaon University.

2. By means of this writ petition, petitioner has sought following relief:-

(i) Issue a writ, order or direction in the Nature of Mandamus by commanding the respondent no. 2 to accept the 3rd semester examination form of

the petitioner and direct the respondent no. 5 to allow the petitioner to appear in the 3rd semester examination.

(ii) Issue a writ, order or direction in the nature of Mandamus by commanding the respondent no. 2 to conduct the 2nd semester examination of the

petitioner with the examinations of even semester students, so that she may improve her score card.

(iii) Issue any other suitable, writ, order or direction which in the interest of justice and under the circumstances of the case of Honâ??ble Court may deem fit and proper.

(iv) To allow the cost of the petitioner of the petitioner.

(v) During the pendency of the writ petition as an interim relief the Honâ??ble Court may graciously be pleased to command the respondent no. 2 to

allow the petitioner to appear in the 3rd semester examinations, provisionally.

3. After arguing for a while, learned counsel for the petitioner submits that petitioner has made a representation to Vice-Chancellor, Kumaon

University on 21.10.23020, which is on record as Annexure -8 to the writ petition. He, therefore, confines his prayer and submits that Vice-Chancellor,

Kumaon University be directed to decide petitionerâ??s representation expeditiously.

4. Mr. B.D. Upadhyaya, Senior Advocate appearing for the Kumaon University fairly submits that petitionerâ??s representation shall be decided

within one week from the date of production of certified copy of this order.

5. In such view of the matter, the writ petition is disposed of with a direction to the Vice-Chancellor, Kumaon University to consider and decide

petitionerâ??s representation dated 21.10.2020, in the light of the guidelines issued by Bar Council of India, as early as possible, but not later than one

week from today.

6. Let certified copy of this order be supplied to the parties today itself.