

(2012) 06 P&H CK 0040
In the Punjab And Haryana At Chandigarh
Case No : CWP No. 11268 of 2012 (O and M)

Anil Kumar Behal

APPELLANT

Vs

Punjab Engineering College, University of Technology,
Sector-12, Chandigarh

RESPONDENT

Date of Decision : 01-06-2012

Acts Referred:

Citation : (2012) 06 P&H CK 0040

Hon'ble Judges : Rajiv Narain Raina, J

Bench : Single Bench

Advocate : A.P.S. Shergill, for the Appellant; R.S. Bains, for the Respondent

Final Decision : Dismissed

Judgement

Rajiv Narain Raina, J.—This petition has been filed against the decision of PEC University of Technology, Chandigarh in appeal by impugned order dated 12.4.2012 (P-7) terminating the Master of the Engineering Programme of the petitioner for lack of achieving minimum CGPA 5.5 of the 1st and 2nd semesters of the Programme. The M.E. Programme (Environmental Engg.) is of two years duration. The academic standards required for clearing the M.E. Programme (Environmental Engg.) is laid down in Regulation 8.3. The regulation 8.3 reads as follows:

8.3 Academic

1. Minimum CGPA requirement for award of ME degree is 5.5
2. For moving to 2nd semester of the programme, a student must obtain a CGPA of 4.5 in the 1st semester.
3. No student (whether regular or part-time) is allowed to move to 3rd semester of the programme until he/she completes the course work requirement of first two semesters with CGPA >5.5. A student, who fails to do so in two years of time, has to discontinue his/her programme. For fulfilling this condition, a

student during his/her second academic session in the institute will be allowed to register for the courses of first and second semesters in which he has an F/N/X grade, and if required, to repeat courses in which he has a D grade, in order to complete the course work requirement of first two semesters and to secure a CGPA > 5.5

4. A student will not be allowed to continue the programme if he/she earns X Grades for his/her thesis work in two semesters.

5. The DGPC will keep a watch on the progress of every student and whenever a student fails to meet the requirements; will put up the case to Senate that may terminate the programme of the student. If a student's programme is terminated, the Dean, Academic Affairs will issue the letter of termination.

The petitioner has been trying and trying again to get through the 1st and 2nd semester examinations for the last 3 years. He is a part time student. His CGPA works out to 5.2 against the minimum 5.5 (within three years) required under Regulation 8.3. Regulations dealing with academic standards deserve to be strictly construed and are best left in the hands of experts.

2. I see no illegality in the final order passed in appeal terminating the petitioner's M.E. Programme (Environmental Engg.) vide order dated 16.12.2011. For part time students, the Regulation 8.2 permits an additional year being added on to minimum and maximum duration. The petitioner however cannot even come in with the aid of Regulation 8.2. The plea of the petitioner appears to be bordering on a mercy petition which authority or jurisdiction this Court cannot exercise. The petitioner's predicament may be sad and alarming but it cannot in my view be helped. He may have to rest content with a B.E degree forever, subject of course, to further appeal.

3. After hearing learned counsel for the parties at some length, I am constrained to dismiss the writ petition finding no merit in it. Dismissed.