
(2020) 06 SHI CK 0026

In the High Court Of Himachal Pradesh

Case No : Civil Writ Petition No. 1450 Of 2020

Kartik Chauhan & Others

APPELLANT

Vs

State Of H.P. & Others

RESPONDENT

Date of Decision : 05-06-2020

Acts Referred:

Citation : (2020) 06 SHI CK 0026

Hon'ble Judges : L. Narayana Swamy, CJ;Anoop Chitkara, J

Bench : Division Bench

Advocate : V.S. Chauhan, Ajay Chauhan, Ajay Vaidya, Neel Kamal Sharma

Final Decision : Disposed Of

Judgement

Anoop Chitkara, J

1. The petitioners, who are students of MBBS, have come up before this Court seeking permission to attend the classes of 2 nd year of MBBS Course despite having failed to clear even the supplementary examination of Biochemistry.

2. After arguing for a considerable time, Mr. V.S. Chauhan, learned Senior Counsel assisted by Mr. Ajay Chauhan, Advocate, appearing for the petitioners contends that the petitioners would be satisfied if they are permitted to attend the classes of 2nd year and in case they failed to clear the left out exams of Biochemistry, then they shall not sit in the final examination of 2nd year. This prayer is innocuous because if they failed to attend the classes of 2nd year then they will not have the requisite attendance for the 2nd year and it is vicious circle which will never end. Given above, keeping in view the current COVID-19 pandemic and without this being cited as precedent, we allow this writ petition to the extent that the respondents shall permit the petitioners to resume 2nd year classes and shall also permit the them to appear in the next examination enable them to clear the Biochemistry examination. However, it is clarified that in case the petitioners do not pass the left out examinations of Biochemistry then they shall not be permitted to appear in the final examination of 2nd year.

3. Pending application(s), if any, shall also stand disposed of.