

(2010) 12 P&H CK 0616
In the Punjab And Haryana At Chandigarh
Case No : Civil Writ Petition No. 10844 of 2010

Narender Soni

APPELLANT

Vs

Maharshi Dayanand University and Others

RESPONDENT

Date of Decision : 16-12-2010

Acts Referred:

Citation : (2010) 12 P&H CK 0616

Hon'ble Judges : Ranjit Singh, J

Bench : Single Bench

Judgement

Ranjit Singh J.—The Petitioner is a student of B. Ed. regular course. He got married on 02.12.2008. It is stated that his wife developed some complication and was under a regular treatment in the hospital. At the time of her delivery, she was required to undergo a regular medical check ups. The Petitioner for this reason had to leave his wife to his in-laws and had ultimately to go to attend to his ailing wife. The wife of the Petitioner was admitted in the hospital where she remained under treatment leading to her abortion when she was 24 weeks pregnant. After discharge from the hospital, she was advised to rest. Because of this, the Petitioner could not attend the classes. He, accordingly, requested the Respondents to consider his case for issuing roll number though there was shortage of lectures. By making reference to some of the similar cases, where candidate with shortage of lectures were allowed permission to appear in the examination by this Court, the Petitioner has filed this writ petition.

2. Though no reply has been filed but the Petitioner has appeared for the examination under the directions of the Court. Concededly, the Petitioner is running short of lectures. Requirement of attendance is a statutory requirement and should not ordinarily be circumvented. As per the statute, the discretion is left with the Vice Chancellor to consider all the cases in appropriate manner and condone the shortage of lectures, where the cause or reason for absence is found justifiable. This discretion primarily is of Vice Chancellor and should be left to be exercised by him to ensure discipline in the field of education.

3. Let the Petitioner make a representation giving the detailed reasons for which he could not attend the classes. If he does so, the Vice Chancellor would consider the same and pass appropriate order in accordance with law. Since the Petitioner was permitted to appear in the examination under the orders passed by this Court, the result of the examination would be declared and disseminated in case, the Vice Chancellor decides to condone the shortage of lectures. In case, the Vice Chancellor decides otherwise the necessary consequences would follow.