

(2020) 12 DEL CK 0120

In the Delhi High Court

Case No : Letter Patent Appeal No. 371 Of 2020

Syed Sadique Raza

APPELLANT

Vs

Jamia Millia Islamia & Anr

RESPONDENT

Date of Decision : 08-12-2020

Acts Referred:

Citation : (2020) 12 DEL CK 0120

Hon'ble Judges : Dhirubhai Naranbhai Patel, CJ;Prateek Jalan, J

Bench : Division Bench

Advocate : M.A. Inayati, Fuzail Ahmed Ayyubi, Akanksha Rai

Final Decision : Dismissed

Judgement

Course : B.A. (H) History (Semester) - V Sem.

Admission Type : Regular",,,

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33,20179224,Nadeem Alam,67.60

34,20172024,Nazrul Islam,91.73

35,20177279,Nuzhat Praveen,79.35

36,20178920,Owais Mushtaq Bhat,75.80

37,20178232,Pradeep Kumar,39.46

38,20177278,Pritam Vishal,76.68

39,20171704,Reyaz Ahmad Reshi,69.83

40,20175019,Rizwanul Haque,66.93

41,20172564,Sahrish Fatima,87.45

42,20171693,Sahul Khan,73.03

43,20175088,Shahid Gulzar,72.53
44,20172727,Shahvar Bano,91.51
45,20172451,Shahzeen,87.59
46,20172039,Shamaila Shah,80.39
47,20174825,Sifat Khan,64.83
48,20174139,Srajit M Kumar,65.30
49,20171804,Swapnil,78.21
50,20173350,Syed Sadique Raza,14.55
51,20172550,Tanzila Zafar,83.87
52,20171800,Thashrif M V,85.92
53,20171770,Usman Qureshi,68.34
54,20175004,Zakia Nasim,79.28
New Delhi â?" 110025â??"

(Emphasis supplied.)

6. In view of the aforesaid facts, it appears that this appellant had attended only 14.55% classes in the 5th semester, and therefore he was not allowed" to appear in the examinations of 5th semester.

7. In the memo of this LPA, several reasons for not attending classes for 5th semester have been pointed out at page no. 15, paragraph (d) onwards."

Looking at page no. 15, paragraph (d) onwards, this appellant is claiming that he was ill and had gone to his native place in Bihar, and thereafter,

because of the situation in Delhi due to pollution and campus unrest etc., he had not attended classes. According to him, due to these events, he was

not allowed to return to Delhi by his parents. These reasons have been given in paragraphs d, e, f, g, h, i, j etc. None of these contentions are helpful to

the appellant. There is consistent absenteeism of this appellant in the 5th semester for one reason or another, ranging from his ill health to pollution to

being disallowed to return to Delhi by his parents. Further, nothing has been pointed by this appellant at the relevant time to the respondents. Unless

the 5th semester examinations are cleared, the 6th semester results cannot be allowed to be declared. In fact, it is not as if this appellant has been

permitted to appear in any of the examinations of 6th semester. His attendance in online classes of 6th semester, and submission of assignments"

cannot, in the backdrop of the abovenoted facts, entitle him to any relief from this Court." ,,,

8. Moreover, it appears from the facts of the case that this appellant has already been re-admitted in 5th semester as per the rules of re-admission." ,,,

For ready reference, the rules of re-admission read as under:" ,,,

â??5. Re-admission,,,

5.1 A A student of the 1st Year/1st Semester of any course who is detained due to shortage of attendance will no longer remain a student of,,,

the University. Such a student will have to seek re-admission.,,,

If a student of 1st Year/1st Semester of any course who fails in the Annual/Semester-end Examination or who could not take the examination,,,

for reasons other than shortage of attendance may be allowed to appear as an Ex-Student in the consecutive Annual/1st Semester-end,,,

Examination.,,,

5.2 A student of other than 1st Year/1st Semester, who has not taken the examination due to shortage of attendance, may be given re-" ,,,

admission in the said class of that course in the next consecutive Year/Semester. In case, the student fails to fulfill the requirement of" ,,,

attendance after being given re-admission, his/her admission shall stand cancelled.â??" ,,,

(emphasis supplied),,,

9. In view of the aforesaid position of the rules of the respondents, this appellant has got re-admission in the 5th semester. This aspect of the matter" ,,,

has been properly appreciated by the learned Single Judge, as stated in the impugned final order dated 24.11.2020, while dismissing the writ petition" ,,,

being W.P.(C) 8165/2020, especially paragraph 3 onwards of the impugned order. We are in full agreement with the reasons given by the learned" ,,,

Single Judge in the order dated 24.11.2020. We see no reason to take any other view than that which has been taken by the learned Single Judge.,,,

Hence, there is no substance in this LPA." ,,,

10. With these observations, this LPA is dismissed." ,,,