
(2020) 12 DEL CK 0113

In the Delhi High Court

Case No : Letter Patent Appeal No. 372 Of 2020, Civil Miscellaneous No. 31511, 31512 Of 2020

Vipin

APPELLANT

Vs

University Of Delhi & Ors

RESPONDENT

Date of Decision : 09-12-2020

Acts Referred:

Citation : (2020) 12 DEL CK 0113

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

Bench : Division Bench

Advocate : Abir Phukan, Ashkrit Tiwari, Mohinder J.S. Rupal, Hardik Rupal

Final Decision : Disposed Of

Judgement

D.N.Patel, CJ

Proceedings in the matter have been conducted through video conferencing.

1. Being aggrieved by and feeling dissatisfied with the orders dated 12th November, 2020 and 26th November, 2020 passed by the learned Single

Judge in W.P.(C) No.3049/2020, the present appeal has been preferred by the original petitioner.

2. Having heard the learned counsel for the parties and looking to the facts and circumstances of the case, it appears that W.P.(C) No.3049/2020 is

pending before the learned Single Judge. The appellant had joined the LL.M. Course with the respondent University in the Academic Year 2014-15

and to complete the said course, he has now to pass the examination of only one subject, i.e., Intellectual and Industrial Property Law-I. The

maximum period allowed to clear all the papers of the LL.M. course of the respondent University is six years and the last attempt left with the

appellant was therefore in December 2019.

3. It appears that the examination of the aforesaid paper was initially fixed on 28th December, 2019 and the appellant was to appear in the said

examination, being his last remaining attempt to complete the said course. It appears from the facts of the case that respondent University pre-poned

the date of the examination to 16th December, 2019. However, the intimation about the said pre-ponement was not given to the appellant either by e-

mail, SMS or through any other mode. This is the bottleneck in the whole matter as, because of the pre-ponement of the date of examination of the

aforesaid paper (Intellectual and Industrial Property Law-I), the appellant could not take the said examination, which would have been his last attempt

to complete the LL.M. Course. This last attempt was missed by the appellant because of pre-ponement of the date of examination by the respondent

University for which neither any e-mail, nor any SMS, nor any personal communication, was sent to him.

4. We, therefore, allow this appellant to appear in the examination of the paper, Intellectual and Industrial Property Law-I, which is now scheduled to

be held by the respondent University on 23rd December, 2020. However, this permission to appear in the said examination would be subject to the

outcome of W.P.(C) 3049/2020 pending before the learned Single Judge and without prejudice to the rights and contentions of the parties.

5. With these observations, this appeal is disposed of.