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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

% **Date of Decision: 26.11.2019**

+ W.P.(C) 12401/2019

DEEPAK AHUJA Petitioner
Through Mr. Nikhil Bhardwaj, Adv.

versus

UNIVERSITY OF DELHI AND ANR. Respondentss
Through Mr. Mohinder J.S. Rupal, Mr.
Kaushik Ghosh and Ms. Manisha
Relia, Advs. for University of Delhi.

CORAM:
HON'BLE MR. JUSTICE RAJIV SHAKDHER

RAJIV SHAKDHER, J. (ORAL)

C.M. Nos.50656-57/2019

1 Allowed, subject to just exceptions.

W.P.(C) 12401/2019 & C.M. No.50655/2019

2 This is a writ petition whereby the following substantive relief
is sought:

“i) Issue an appropriate writ, order or direction to respondents for considering the candidature of the petitioner for admission in three-year LIB course for the academic session 2019-20 with respondent no.2/Faculty of Law; and”

3 The petitioner’s case is that he sat in the entrance exam in which he secured 123 out of total 388 marks. The petitioner avers that at least in 26 questions, his marks have been wrongly noted and if answers qua those questions are factored in, his marks would enhance

to 253.

4 To be noted, the provisional result was declared by the University of Delhi (in short 'University') on 09.07.2019. According to the petitioner, final results were declared on 15.07.2019. It is the petitioner's case that a complaint was lodged with the University before the declaration of the final result i.e. on 09.07.2019. As per the petitioner, his complaint and/or grievance with regard to questions in issue was disposed of only on 02.09.2019.

5 Mr. Bhardwaj, who appears on behalf of the petitioner, says that had the petitioner's complaint been disposed of in time, he could have approached the Court earlier. Furthermore, Mr. Bhardwaj says that order dated 02.09.2019 passed by the University on his complaint is a non-speaking order.

6 I agree with Mr. Bhardwaj that there has been a delay on part of the University in disposing of the complaint lodged by the petitioner and that the order on his complaint, on the face of it, is a non-speaking order. The impediment in the petitioner's way in getting any relief is his laches in approaching the Court. The first semester commenced on 01.09.2019. By the time response is received from the University as to how experts dealt with the petitioner's complaint, further time will elapse. While it was incumbent on the University to act with due alacrity, it is equally expected of a litigant, who claims to be aggrieved, to approach the Court at the earliest. The petitioner failed in this regard.

7 Therefore, no relief can be granted to the petitioner. The writ petition is dismissed on the ground of laches.

8 Before I conclude, I must emphasise that the University is obliged to dispose of the complaints of the students at the earliest so that if they are aggrieved by the outcome they can take recourse to an appropriate remedy. Therefore, in future if a complaint is lodged, it would pass orders on the same at the earliest, though, not later than one week from the date of receipt of the complaint. The disposal of the complaint will be *via* a speaking order so that the complainant knows exactly the reason for the conclusion reached in the order.

8.1 The disposal of the complaint on 02.09.2019 seems odd when the cut-off date for admissions was 31.08.2019 and first semester was to commence on 01.09.2019. To those who are not accustomed to bureaucratic delays and red-tapism, it would seem that the University had adopted a stratagem to prevent the petitioner from reaching the Court in time. The University, in future, will avoid such occurrence. The order passed today will be placed before the Dean, Faculty of Law.

9 Resultantly, interim application shall stand closed.

NOVEMBER 26, 2019

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RAJIV SHAKDHER, J