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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ LPA 132/2025 & CM APPL. 10778/2025

ANANYA BANSALAppellant
Through: Mr. Pramod Tripathi, Advocate

versus

DELHI UNIVERSITY & ORS.Respondents
Through: Mr. Mohinder J. S. Rupal with Mr.
Hardik Rupal, Ms. Aishwarya
Mulhotra and Mr. Neetesh P.,
Advocates for R-1

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Date of Decision: 21st February, 2025

CORAM:
HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

J U D G E M E N T

TUSHAR RAO GEDELA, J : (ORAL)

1. Present appeal has been preferred under Clause X of Letters Patent assailing the judgement dated 11.02.2025 passed by the learned Single Judge in W.P.(C) 263/2023 titled "*Ananya Bansal vs. Delhi University & Ors.*", whereby the learned Single Judge has dismissed the writ petition filed on behalf of the appellant seeking permission to appear in the examination of IIIrd Semester of LLB.

2. Appellant claims to be presently enrolled as student in the IIIrd Semester at the Faculty of Law, University of Delhi, in Bachelors of Laws (L.L.B). The respondent no.2 released a provisional list of detainees on



22.12.2024, notifying all the students who were unable to meet the minimum attendance criteria set by the college authorities. The appellant's name was not in the provisional list of detainees, whereas, the final list published by the respondent on 04.01.2025 had the name of the appellant and therefore she was not issued the admit card for the concerned semester exams. Aggrieved by the same, the appellant filed the underlying writ petition seeking permission to appear in the examination and also sought removal of her name from the list of detainees. However, the learned Single Judge dismissed the underlying writ petition of similarly situated students including the appellant.

3. Mr. Pramod Tripathi, learned counsel appearing for the appellant has addressed the same arguments which were submitted before the learned Single Judge. The contention is that the appellant was never informed of shortfall/shortage of her attendance by the faculty of law, which according to him, was an obligation of the respondent/university. According to learned counsel, the name of the appellant, having not figured in the provisional list of detainees brought out on 22.12.2024, assured her that her attendance was of the requisite percentage stipulated by the university. Subsequently, upon discovering that the appellant's fee had not been paid, the appellant rectified the situation when the respondent/university reopened the fee portal. He submits that it was then that the appellant was informed orally that she had been provisionally detained and was required to take remedial classes.

4. Learned counsel contends that it was only on 04.01.2025, when the list of final detainees was notified, that the appellant came to know her attendance was short of the required percentage. According to the learned



counsel, the appellant could not be blamed for the lapses of the respondent-University. He forcefully contends that her name figuring in the final list of detainees as late as on 04.01.2025, i.e., just short of 3 days when the third semester examination was to be held on 07.01.2025, is arbitrary, whimsical, capricious, unjust and unfair on the part of the respondent/university. He contends that the University cannot be permitted to take advantage of its own lapse and play with the future of students like the appellant. On the aforesaid submissions, learned counsel prays that the impugned judgment of the learned Single Judge be set aside and the appellant be permitted to complete her LLB course.

5. We have heard learned counsel for the appellant and closely examined the detailed judgment of the learned Single Judge and are not persuaded by the submissions urged on behalf of the appellant.

6. From the aforesaid submissions, it is clear that the appellant indeed had information relating to shortage in attendance when she deposited the unpaid fee in time. Apparently, despite attending the remedial classes, it is on record that her total percentage of attendance is only 54%. This has been clearly recorded by the learned Single Judge in the impugned order. The rules of the respondent/university prescribe attendance at 70% for eligibility to participate in a particular semester examination. Learned Single Judge by relying upon previous judgments of this Court has observed that the percentage of attendance stipulated by the university is sacrosanct and cannot be underscored in any manner whatsoever. Learned Single Judge has also held that the LLB course being a professional degree requires more serious pursuit than, may be a regular degree course.



7. While referring to the judgment of a Division Bench of this Court in ***Guru Gobind Singh Indraprastha University vs. Naincy Sagar; 2019 SCC OnLine Del 11169***, learned Single Judge in para 30 has succinctly articulated the extent to which the relief under the extra ordinary jurisdiction conferred by Article 226 of the Constitution of India can be availed of. Para 30 reads thus:

“30.The Division Bench of this Court has very lucidly explained the importance of attendance in a professional course i.e., an L.L.B course. The petitioners have sought relief by invoking the extraordinary jurisdiction under Article 226 of the Constitution of India. However, given their own lack’ of diligence in adhering to the prescribed academic discipline, allowing such a remedy would set a wrong precedent by effectively rewarding non-compliance. It is essential to maintain the integrity of the L.L.B. professional course and to ensure that students who abide by the rules are not prejudiced by a retroactive relaxation of discipline. Power under Article 226 is not a tool for granting relief in situations where there has been a manifest disregard of discipline by the students themselves. To permit such an invocation would not only undermine the integrity of the professional course but also prejudice those students who diligently observe their academic responsibilities.”

8. While concurring with the reasoning rendered by learned Single Judge, we too are of the considered opinion that the students pursuing such professional degree courses must pursue the said courses with all seriousness and due diligence. There could be exception to such rigidity, which in all probability must be prescribed in the rules itself. Ordinarily, the shortage in attendance ought not to be otherwise condoned for the mere asking, unless, some urgent or unavoidable circumstances like medical emergencies etc., intervene. In the present case, no such exception has been narrated.



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9. In the aforesaid circumstances, we are not persuaded to interfere or interdict the impugned judgment and accordingly, the appeal is dismissed, however, without any order as to costs.

TUSHAR RAO GEDELA, J

DEVENDRA KUMAR UPADHYAYA, CJ

FEBRUARY 21, 2025/ms/rl