



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-23971-2025

Date of decision: 10.09.2025

Divya Kapoor

....Petitioner

Versus

The Registrar, Chandigarh University and another

....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Sahil Goel, Advocate,
for the petitioner.

Mr. Vikram Vir Sharda, Advocate,
for respondent No.1.

Mr. Kartik Sharma, Advocate, and
Mr. Ashir Gulati, Advocate,
for respondent No.2.

KULDEEP TIWARI, J. (Oral)

1. The petitioner has approached this Court by way of instant writ petition, under Article 226/227 of the Constitution of India, challenging the speaking order dated 28.03.2025 (Annexure P-12), vide which, her claim to take 2nd and 3rd semsters' examination has been rejected by respondent No.1, on the ground that the same is against the Policy/Guidelines, i.e. "Migration Policy for Outbound Students", as has been adopted by the respondent-University.

2. On 29.08.2025, this Court, after hearing learned counsel for the parties, had passed the following order-

"In pursuance of the notice issued by this Court, Mr. Vikram Vir Sharda, Advocate, has caused appearance on behalf of the respondent No.1. There is no representation on behalf of the respondent No.2. As per



office report, notice/dasti to respondent No.2 has not been received back either served or otherwise.

The learned counsel for the respondent No.1 has expressed difficulty that, since the petitioner has already migrated to the respondent No.2- University, they cannot allow her to reappear in the 2nd and 3rd semesters' examinations. He has further submitted that they can allow the petitioner to re-appear in the above examinations only if she re-migrates to their University. Moreover, considering the mitigating circumstances, they will not even charge any fee for the session, for which the petitioner has already paid to the respondent No.2- University.

The learned counsel for the respondent No.1 has further submitted that, in case, the petitioner re-migrates to their University and re-appears and clears the 2nd and 3rd semesters' examinations, only then she can continue her studies from the stage where she migrated to their University from the respondent No.2-University.

In view of the above submissions, the learned counsel for the petitioner submits that, in order to save her academic career, the petitioner is ready to re-migrate to the respondent No.1- University, and she is ready to take the requisite steps in this regard. However, a direction be passed upon both the Universities to expedite the process of migration.

Although none has caused appearance on behalf of the respondent No.2- University for want of service, given the sensitivity of the matter as the academic career of the petitioner is at stake, this Court deems it appropriate to direct the respondent No.2- University to facilitate the process of petitioner's re-migration from their University to the respondent No.1- University.

In case, the petitioner files an apt application, after fulfilling all the formalities, both the respondents No.1 and



2–Universities shall take the final decision on the said application within a week of its being made.

Adjourned to 10.09.2025.

To be shown in the urgent list.

It is made clear that, on the subsequent date of hearing, no request for adjournment shall be entertained, except for strong and compelling reasons.

3. Today, learned counsel for the petitioner submits that the petitioner intends to re-take/re-appear in the examinations for 2nd and 3rd semester with respondent No.1-University, after completion of her 10th semester.

4. Learned counsel for respondent No.2-Desh Bhagat University, also causes appearance, and informs that the petitioner could not clear the examinations in total 08 subjects (3 examinations of 4th semester, 2 examinations of 5th semester and 3 examinations of 6th semesters), therefore, she has to re-appear in the examinations for the said subjects. He further submits that after clearing all the examinations, she can seek re-migration to respondent No.1-University.

5. Faced with the above, learned counsel for the petitioner submits that he may be allowed to withdraw the instant writ petition, at this stage, with liberty to the petitioner to approach respondent No.1-University, after completion of 10th semester, for migration.

6. The request of the learned counsel for the petitioner is not opposed by learned counsel for respondent No.1, rather, he fairly submits that, if the petitioner, after completion of 10th semester successfully, applies for migration, her claim shall be considered, as per Rules.



7. **Dismissed as withdrawn**, with the liberty aforesaid.
8. However, in case, the petitioner, post completion of 10th semester successfully, applies for re-migration to respondent No.1- University, her application shall be considered, most sympathetically, as per Rules, and taking into consideration the fact that petitioner is beseeching indulgence, only for completion of her education. Further, in the event, the petitioner still has any grievance, she shall be at liberty to approach this Court again.

(KULDEEP TIWARI)
JUDGE

10.09.2025

Ak Sharma

Whether speaking/reasoned	Yes
Whether reportable	Yes/No