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

+ **W.P.(C) 81/2025**

SOHAM BHATTACHARYA AND OTHERSPetitioners

Through: Mr. Kirti Uppal, Sr. Advocate with
Mr. Harvinder Singh, Ms. Archisha
Satyarthi, Ms. Rishita Bhadana and
Mr. Vardan Sharma, Advocates

versus

**THE FACULTY OF LAW UNIVERSITY OF DELHI
THROUGH ITS DEAN AND ANOTHER**Respondents

Through: Mr. Mohinder J.S. Rupal, Mr. Hardik
Rupal and Ms. Aishwarya Malhotra,
Advocates for DU

**CORAM:
HON'BLE MR. JUSTICE DINESH KUMAR SHARMA**

**ORDER
08.01.2025**

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1. The present petition has been filed under Article 226 & 227 of the Constitution of India, seeking quashing/setting aside/revision of the examination schedule for odd semester examinations of the Faculty of Law, University of Delhi, issued on 03.01.2024.
2. Mr. Mohinder J.S. Rupal, learned counsel for the respondents, has produced the notification dated 05/06.11.2024, which is reproduced as under:-




दिल्ली विश्वविद्यालय
UNIVERSITY OF DELHI

Dr. Jay Shank
to upload on the
website: 11/11/24

No. Acad.1/299/Academic Calendar/523 Dated: 05.11.2024

NOTIFICATION

The Revised Academic Calendar to be followed for the LL. B & LL. M Programme for the academic session 2024-25 is hereby notified for compliance by all concerned.

	LL. B (Semester I)	LL. B (Semester III/V) & LL. M (Semester I/III/V)
Classes begin	12 th August, 2024 (Monday)	22 nd August, 2024 (Thursday)
Mid semester break	27 th October, 2024 (Sunday) to 3 rd November, 2024 (Sunday)	27 th October, 2024 (Sunday) to 3 rd November, 2024 (Sunday)
Classes begin after Mid Semester Break	4 th November, 2024 (Monday)	4 th November, 2024 (Monday)
Dispersal of Classes and preparation leave	19 th December, 2024 (Thursday)	19 th December, 2024 (Thursday)
Commencement of examinations	26 th December, 2024 (Thursday)	26 th December, 2024 (Thursday)

LL. B and LL.M (Semester II, IV & VI)	
Classes begin	15 th January, 2025 (Wednesday)
Mid semester break	9 th March, 2025 (Sunday) to 16 th March, 2025 (Sunday)
Classes begin after Mid Semester Break	17 th March, 2025 (Monday)
Dispersal of Classes and preparation leave	14 th May, 2025 (Wednesday)
Commencement of examinations	19 th May, 2025 (Monday)
Summer Vacation	01 st June, 2025 (Sunday) to 20 th July, 2025 (Sunday)

3. Learned counsel for the respondents submits that, vide order dated 19.12.2024 issued by the Prof. Anju Vali Tikoo, Dean and Head of the Faculty of Law, remedial classes were scheduled to be held from 23.12.2024 to 04.01.2025. It was further directed that examinations for the LL.B.-I/III/V Semesters would commence from 06.01.2025 onwards. Learned counsel for the respondents further submits that a revised date-sheet was subsequently issued. It has been further submitted that certain changes were made in the revised date-sheet to address representations made by the students. Furthermore, it is submitted that the Dean and Head of the Faculty of Law



took into account the students' concerns while preparing the revised date-sheet.

4. Mr. Kirti Uppal, learned Senior Counsel for the petitioners, has fairly submitted that it is not the intention of the petitioners to disrupt the entire examination schedule. He submits that the issuance of the revised date-sheet at the eleventh hour on 03.01.2025, just three days before the commencement of the examinations on 06.01.2025 has caused practical difficulties for the students. By way of illustration, learned senior counsel has points out that petitioner no. 1 is required to appear in two exams scheduled for the same date, i.e., 13.01.2025: LB-104/2024 (Bharatiya Nyaya Sanhita, 2023) and LB-505 (Principles of Taxation Law).

5. Learned Senior Counsel submits that, as a result, the petitioner and many other similarly placed students will be unable to perform to their full potential, which may adversely affect their results. He, therefore, suggests that the University devise a mechanism to address such situations in the interest of the students' welfare. He further submits that the Faculty of Law should issue date-sheets well in advance to provide students sufficient time for preparation. He points out that universities typically release date-sheets approximately 15 days prior to the commencement of examinations, as was done by the Faculty of Law with the date-sheet issued on 21.11.2024.

6. It is a well-settled proposition that, while hearing such petitions, courts must consider the challenges faced by students. At the same time, they must also respect the need for universities to manage their administration in accordance with established rules and regulations. Not all students approach the court with their grievances; those who do may serve as representative cases to highlight common issues.



7. Before proceeding further, the Court wishes to make two points clear, first, this Court is reluctant to interfere with the administration of the Faculty of Law, University of Delhi. However, the Court strongly urges the Dean of the Faculty of Law to take all administrative decisions, including the issuance of date-sheets, with due regard for the interests of the students. There is no dispute that students must be given adequate notice before the commencement of examinations. Universities are expected to enforce rules strictly but also with compassion, recognizing the students' welfare.

8. After hearing both the parties at some length the Court considers that this Court should be very slow in interfering with the administration of University of Delhi which is a premier University of this Country, except in the exceptional circumstances. It is a settled principle in law that Educational Institutions should be allowed to retain their autonomy and expertise in managing academic and disciplinary matters, with judicial intervention limited to exceptional circumstances involving the interpretation of a statutory provision or law. Reliance can be placed on ***Maharashtra State Board of Secondary and Higher Education v. Paritosh Bhumpeshkumar Sheth*** (1984) 4 SCC 27 wherein the Apex Court *inter alia* held as under:

"29. ... The court should be extremely reluctant to substitute its own views as to what is wise, prudence and proper in relation to academic matters in preference to those formulated by professional men possessing technical expertise and rich experience of actual day-to-day working of education institutions and departments controlling them."

9. Similarly, in the case of ***All India Counsel for Technical Education v. Sudden Kumar Dhawan & Ors.*** (2009) 11 SCC 726 it was *inter alia* held that that the roles of statutory expert bodies on education and the courts are



distinctly delineated by a simple principle. When it concerns matters of educational policy or academic issues, courts generally refrain from interference. However, if a provision or principle of law needs to be interpreted, applied, or enforced in connection with education, the courts will step in. While there is no absolute prohibition, it is a rule of prudence that courts should exercise caution and avoid unsettling decisions made by academic bodies.

10. While the Court does not deem it appropriate at this stage to interfere with the revised date-sheet issued by the University of Delhi, it earnestly advises that the Dean and Head of the Faculty of Law to ensure that future date-sheets are issued at least 15 days before the examinations begin. Furthermore, if there are instances in the current date-sheet where students are required to appear for two exams on the same day, the Dean, Faculty of Law, University of Delhi may consider the representations of students with compassion and address them expeditiously, in accordance with the rules and regulations.

11. The present petition alongwith any pending application stands disposed of.

DINESH KUMAR SHARMA, J

JANUARY 8, 2025

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