

**Anoop Dhand and ors. Vs. Controller of Examination and ors.**

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**Court :** Rajasthan

**Decided On :** Nov-08-1996

**Reported in :** 1997WLC(Raj)UC134; 1996(2)WLN631

**Judge :** Anshuman Singh, J.

**Appeal No. :** S.B. Civil Writ Petition No. 5486 of 1996

**Appellant :** Anoop Dhand and ors.

**Respondent :** Controller of Examination and ors.

**Disposition :** Petition rejected

**Judgement :**

**Anshuman Singh, J.**

1. By means of this petition under Article 226 of the Constitution of India the petitioners have prayed for issuance of writ directing the respondents to conduct the examinations of L.L.M. and P.G. Diploma Courses in Criminology and Labour Law, 7 A.M. to 10 A.M. It has been stated that previously the respondents had fixed the timings of the examinations from 7.00 a.m. to 10.00 a.m. but, now the said timing has been changed to 11.00 to 2.00 p.m. It is alleged that since the petitioners are practicing lawyers and they have got cases, it will be inconvenient for them to appear in the examination between 11.00 a.m. to 2.00 p.m. and,

therefore, the old time declared by the respondents should be restored and they should be directed to hold examinations between the said period.

2. I have heard Mr. Anoop Dhand, Mr. Anand Sharma, Mr. Ashish Minocha, Mr. Vinayak Joshi and Mr. Vikas Jain, petitioners and Mr. R.A. Katta appearing for the University of Rajasthan and after hearing them and perusal of the material on record, I am of the opinion that the High Court should be very reluctant while exercising powers under Article 226 of the Constitution of India in such matters. Moreover, the timings of the examinations cannot be fixed according to the wish of a candidate appearing in the examination. Fixing of examination time/schedule should be left to the discretion of the University Authorities conducting examinations. It is not one of those cases where the Authorities are not holding the examinations within a reasonable time and it is only in such cases where this Court has interfered but in the instant case, in my opinion, the action of the respondents in changing the time schedule and holding the examination between 11.00 a.m. to 2.00 p.m. is neither arbitrary nor illegal and does not call for any interference by this Court. The petitioners have failed to make out any prima-facie case, the petition is accordingly rejected in limine.

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