

THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA**LPA No.394 of 2026****Reserved on: 07.07.2026****Decided on : 10.07.2026****Uploaded on: 10.07.2026**

Akshat Singh

...Appellant

Versus

The Vice Chancellor and others

...Respondents.

*Coram****Hon'ble Mr. Justice G.S. Sandhawalia, Chief Justice.******Hon'ble Mr. Justice Bipin Chander Negi, Judge.****Whether approved for reporting?¹*

For the appellant : Mr. Atharv Sharma, Advocate.

For the respondents : Mr. Amar Vivek Agarwal, Advocate
(through V.C.) with Mr. Rajesh Kumar
Parmar, Advocate.**Bipin Chander Negi, Judge**

The present appeal has been preferred against the impugned order dated 30th June, 2026 passed by the learned Single Judge in CMP No. 15523 of 2026 titled Akshat Singh vs. The Vice Chancellor, H.P. National Law University and others filed in CWP No. 10560 of 2026, whereby the prayer for grant of interim relief to provisionally attend classes of the 9th Semester and further direction to permit the appellant/writ petitioner to appear in the 8th Semester examination was declined.

2. The appellant/writ petitioner is a student of Himachal Pradesh National Law University, Shimla, i.e. respondent No. 2. Vide

order dated 6.12.2025 (Annexure P-4 at page 123 of the paper book), the appellant/writ petitioner, along with seven other students, had been detained in the 7th Semester on account of shortage of attendance and was not allowed to appear in the end semester examination scheduled to be held from 11th to 26th December, 2025.

3. Feeling aggrieved by the same, the appellant/writ petitioner had preferred CWP No. 19747 of 2025. By virtue of order dated 12.12.2025 (Annexure P-1 at page 50 of the paper book), the appellant/writ petitioner was allowed to appear in the end semester examination. In the order so passed, it had clearly been mentioned that the permission granted to the appellant/writ petitioner to appear in the end semester examination would not create any equity in his favour. Subsequent thereto, vide order dated 20.3.2026 (page 52 of the paper book), the appellant/writ petitioner was permitted to provisionally attend classes of the 8th Semester. Herein again, in the order so passed it was made clear that the permission to provisionally attend classes of the 8th Semester would not create any rights or equities in favour of the appellant/writ petitioner. The interim order was to abide by the outcome of the main writ petition.

4. The writ petition, i.e. CWP No. 19747 of 2025, was finally disposed of vide judgment dated 12.5.2026 (page 53 of the paper book). The relevant extract of the judgment has been reproduced in the impugned judgment. Suffice it to state that vide judgment dated 12.5.2026, respondent No. 2 was directed to reconsider decision

dated 6.12.2025 (Annexure P-4 at page 123 of the paper book) afresh. It was made clear that while deciding the matter afresh, both the rules position and the academic interest of the appellant/writ petitioner be kept in view.

5. In the aforesaid backdrop, upon reconsideration, the matter was decided in terms of the report of the Committee, dated 4.6.2026 (Annexure P-5 at page 124 of the paper book), constituted to reconsider the decision regarding detention of the appellant/writ petitioner in compliance of the judgment dated 12.5.2026 passed in CWP No. 19747 of 2025. As per the pleadings in the writ petition (CWP No. 10560 of 2026), wherein the impugned order dated 30.6.2026 has been passed, specifically from para 7 thereof, it is evident that, as per the appellant/writ petitioner himself, in the 7th Semester, he has attended only 114 classes out of a total of 215 classes held. Hence, as per the appellant/writ petitioner himself, his attendance comes to 53.02% and not 57.29% as shown in Annexure P-4, i.e. order dated 6.12.2025 (Annexure P-4 at page 123 of the paper book), whereby initially the appellant/writ petitioner, along with seven other students, had been detained from appearing in the end semester examination scheduled to be held from 11th to 26th December, 2025. Even the impugned order (Annexure P-5 at page 124 of the paper book) records the attendance as 57.29%.

6. In the impugned order (Annexure P-5 at page 124 of the paper book), reference has been made to Regulation 3.1 of the

Examination Regulations of Himachal Pradesh National Law University, 2020, wherein the benchmark of 70% attendance has been laid down. Other than the aforesaid, while calculating the percentage of attendance, the period from 28.9.2025 to 13.10.2025, during which the appellant/writ petitioner had been placed under suspension, has been excluded. Besides, from a perusal of the impugned order it is evident that due opportunity was afforded to the appellant/writ petitioner to explain any exceptional circumstance for relaxation of the 70% criteria as prescribed in terms of Regulation 3.1 of the Examination Regulations of Himachal Pradesh National Law University, 2020.

7. In this respect, no material or valid ground came forth from the appellant/writ petitioner. From the aforesaid, it is evident that while reconsidering the matter qua detention of the appellant/writ petitioner afresh in terms of the judgment dated 12.5.2026 passed in CWP No. 19747 of 2025, due deference had been given to the academic interest of the student.

8. Other than the aforesaid, while observing Regulation 3.1 of the Examination Regulations of Himachal Pradesh National Law University, 2020, the academic standard of the University has been taken into account in its correct perspective. Further in the impugned order the requirement of the Bar Council of India whereby on completion of the law course when a student applies for registration as a lawyer with the Bar Council, respondent No. 2 University, in the

case at hand, has to certify that the degree has been issued to the student in compliance with the attendance requirements prescribed in the Rules has also been taken into account. As has already been stated supra, vide interim orders dated 12.12.2025 and 20.3.2026, the appellant/writ petitioner had been permitted to participate in the end semester examination and to provisionally attend classes of the 8th Semester, while passing the aforesaid orders it had been made clear that no right or equity on the said account would accrue in favour of the appellant/writ petitioner. Besides, the interim orders were subject to the final decision to be passed in the writ petition. The writ petition previously filed, i.e. CWP No. 19747 of 2025, had been disposed of vide judgment dated 12.5.2026 directing reconsideration of the detention order dated 6.12.2025 (Annexure P-4 at page 123 of the paper book).

9. ***In Dr. Ambedkar Institute of Hotel Management, Nutrition & Catering Technology v. Vaibhav Singh Chauhan, (2009) 1 SCC 59***, the apex court has clearly held that High Courts should not ordinarily interfere with the functioning and orders of the educational authorities unless there is clear violation of some statutory rule or legal principle. Besides the apex court has disapproved of passing of interim orders in educational matters which are wholly uncalled for amount to misplaced sympathy and often result in creating confusion and is destructive of academic discipline and academic standards.

10. A Court cannot confer benediction impelled by only sympathetic consideration. Law is acknowledged to be the embodiment of all wisdom and justice according to law is a principle as old as the seas on the earth. The Apex Court in ***Martin Burn Ltd. v. Corporation of Calcutta, AIR 1966 SC 529*** observed:

“A result flowing from a statutory provision is never an evil. A Court has no power to ignore that provision to relieve what it considers a distress resulting from its operation. A statute must of course be given effect to whether a Court likes the result or not.”

(Also See *LIC v. Asha Ramchandra Ambekar, (1994) 2 SCC 718*)

Further it is well-settled in law that no mandamus will be issued directing to do a thing forbidden by law. (***Brij Mohan Parihar v. M.P.S.R.T. Corpn. (1987) 1 SCC13***).

11. In view of the aforesaid and for the reasons given in the impugned order, we see no reason to interfere with the impugned order dated 30.6.2026. Accordingly, the appeal is dismissed, so also the pending miscellaneous applications, if any.

(G.S. Sandhawalia)
Chief Justice

(Bipin Chander Negi)
Judge

10th July, 2026
(Tarun Singh)