

S.C. Udhawan vs Punjab University on 8 September, 1981

Equivalent citations: AIR1982SC1212, (1981)4SCC510, AIR 1982 SUPREME COURT 1212, 1981 (4) SCC 510

Author: A.D. Koshal

Bench: A.D. Koshal, V. Balakrishnan Eradi

JUDGMENT

A.D. Koshal, J.

1. In the year 1964 the appellant took a Punjab University examination in the third paper of the M.Sc. Geology Course, Part II. His result was not declared because he was accused of having resorted to unfair means while answering the paper. He filed a petition under Article 226 of the Constitution of India in the High Court of Punjab & Haryana challenging the right of the University to withhold the result but did not succeed. His Letters Patent Appeal also failed and the present appeal before us is by special leave against the judgment of the Letters Patent Bench.

2. It is stated at the bar that the appellant has since obtained the Master's degree in Economics from the Kurukshetra University in the year 1968 when he was awarded a first division and topped the list of successful candidates. He is also now happily employed with the Delhi School of Economics as a Lecturer in Economics. In this situation, the appeal has really become infructuous and is dismissed on that account with no order as to costs.

3. We make it clear, however, that in the circumstances of the case imputation of the use of unfair means during the examination held in 1964 and mentioned above would not be considered as a stigma for any future appointment or promotion which the appellant may seek.