

Court No. - 10

Case :- WRIT - C No. - 35960 of 2023

Petitioner :- Rohit Kumar

Respondent :- Dr.Apj Abdul Kalam Technical University And Another

Counsel for Petitioner :- Ami Tandon

Counsel for Respondent :- Rohit Pandey

Hon'ble Kshitij Shailendra,J.

1. Heard Sri Ami Tandon, learned counsel for the petitioner and Sri Rohit Pandey for Respondent No. 1 and 3.

2. In view of the order proposed to be passed, it is not necessary to issue notice to Respondent No.2.

3. The petitioner took admission in M. Pharma course in the year 2014 and though he failed in one of the papers in the first semester examination, he was promoted to the second semester and he again failed in the back paper in the year 2017 and when the same back paper examination was conducted in the year 2018-19, he passed the same.

4 It is contended that now it is the stage of viva and, for that purposes, the petitioner has already submitted thesis to the college, however, the respondents are not conducting the viva of the petitioner and, therefore, this writ petition has been filed for an appropriate relief on the same lines.

5. Sri Rohit Pandey, learned counsel for the University has placed before this Court the instructions dated 27.10.2023, the relevant portion whereof reads as under:

महोदय,

उपर्युक्त विषयक छात्र रोहित कुमार रोल नं० 1321557702 एम०फार्म० पाठ्यक्रम की मौखिक परीक्षा कराने के मा० उच्च न्यायालय में दर्ज वाद के क्रम में सूचित करना है कि समयावधि पूर्ण हो चुके छात्र/छात्रों को अंतिम अवसर देने हेतु गठित समिति ने छात्र रोहित कुमार को अन्तिम समय विस्तार हेतु संस्तुति प्रदान की है।

उपरोक्त संबंध में अनुरोध है कि उक्त छात्र की एम०फार्म० पाठ्यक्रम की थीसिस को विश्वविद्यालय की ई०आर०पी० में थीसिस अपलोड कराने का कष्ट करें।

6. In view of the stand taken in the instructions that the petitioner's request for extension of time has been accepted by the respondents, the only requirement is that the Respondent No.2 Sanskaar College of Pharmacy and Research, Sanskaar Educational Group through its Registrar has to upload the petitioner's thesis through online process.

7. In view of the above, the writ petition stands **disposed of** in the following terms:

(i) The petitioner shall file a certified copy of this order along with a copy of the letter dated 27.10.2023, issued by the University Authorities, (a copy whereof has been provided by the learned counsel for the petitioner during the course of hearing) before the Respondent No.2, Sanskaar College of Pharmacy and Research, Sanskaar Educational Group within a period of two weeks from today.

(ii) The Respondent No.2, College shall upload petitioner's thesis without any delay on the concerned website.

8. As soon as the thesis are uploaded, the University shall proceed in terms of the instructions and shall conduct viva of the petitioner, if there is no other legal impediment.

Order Date :- 1.12.2023

Kumar Manish.