

Court No. - 7

Case :- WRIT - C No. - 9068 of 2023

Petitioner :- Deepak Kumar

Respondent :- Union Of India Thru. Secy. Education Human Resource Development, New Delhi And 4 Others

Counsel for Petitioner :- Dr. Sunil Kumar,P.C.Maurya

Counsel for Respondent :- A.S.G.I.,Dr. V.K. Singh,Sanjeev Kumar Srivastava

Hon'ble Abdul Moin,J.

1. Heard learned counsel for the petitioner, Sri Ambrish Rai, learned counsel, who has filed memo of appearance on behalf of respondent no.1, Sri Sanjeev Kumar Srivastava, learned counsel for respondent no.2, and Sri S.M. Singh Royekwar, learned counsel, who has filed Vakalatnama on behalf of respondents no.3 to 5, which is taken on record.

2. Instant petition has been filed praying for a mandamus commanding the respondents to declare the petitioner to be deemed passed in non-credit subject (AUC-004) and also to award the effective degree of B.Tech. to the petitioner as early as possible and to declare the result of the petitioner with retrospective effect i.e. 2019.

3. At the very outset, learned counsel for the petitioner states that the petitioner is ready to appear in non-credit subject examination as and when the respondent University calls him to appear in the examination.

4. Sri Royekwar, learned counsel for the respondents, on the basis of oral instructions given by the Deputy Registrar (Legal) dated 17.10.2023 states that in case the petitioner appears in the examination then a sympathetic view would be taken with regard to the grievance raised by the petitioner in the instant petition and an order to that effect would be passed.

5. Considering the aforesaid, the writ petition is **disposed of**. Respondent no.3 shall proceed to pass an order in the case of the petitioner after the petitioner appears in the examination as per the statement given by learned counsel for the petitioner.

6. Let an order be passed within four weeks from the date the petitioners appears in the examination.

Order Date :- 17.10.2023

A. Katiyar