GAHC010254902023

THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/6529/2023

AKSHAT PRATAP SINGH
SON OF SRI RANA PRATAP SINGH, PERMANENT RESIDENT OF RAJENDRA NAGAR, PATNA AND PRESENTLY RESIDING AT FACULTY GATE, NEAR IIT, GUWAHATI, AMINGAON

VERSUS

THE UNION OF INDIA AND 4 ORS
REPRESENTED BY THE MINISTRY OF EDUCATION, NEW DELHI

2:INDIAN INSTITUTE OF TECHNOLOGY GUWAHATI (IIT GUWAHATI)
PO AND PS- NORTH GUWAHATI
KAMRUP (R)
GUWAHATI- 781039
REPRESENTED BY ITS DIRECTOR

3:STUDENTS DISCIPLINARY COMMITTEE (SDC)
INDIAN INSTITUTE OF TECHNOLOGY (IIT)
GUWAHATI
PO AND PS NORTH GUWAHATI
KAMRUP (R)
GUWAHATI- 781039

4:STUDENTS AFFAIRS SECTION
INDIAN INSTITUTE OF TECHNOLOGY (IIT)
GUWAHATI
PO AND PS NORTH GUWAHATI
KAMRUP (R)
GUWAHATI- 781039

5:JOINT REGISTRAR AND HOS (STUDENTS AFFAIRS)
INDIAN INSTITUTE OF TECHNOLOGY (IIT)

GUWAHATI
PO AND PS NORTH GUWAHATI
KAMRUP (R)
GUWAHATI- 78103

Advocate for the Petitioner : MR. S C KEYAL

Advocate for the Respondent : DY.S.G.I.

BEFORE
HONOURABLE MR. JUSTICE N. UNNI KRISHNAN NAIR

ORDER

Date : 05.04.2024

Heard Mr. S. C. Keyal, learned counsel for the petitioner. Also heard Mr. A. B. Dey, learned standing counsel, IIT.

Mr. Keyal, learned counsel for the petitioner, has placed on record, a copy of the communication, dated 01.04.2024, by which the penalty as imposed upon the petitioner, herein, on review, was scaled down.

It is seen from the records that the petitioner was vide an order, dated 29.09.2023, imposed amongst others, with a penalty of academic expulsion from the Institute for a period of one year i.e. till June, 2024. Thereafter, the petitioner had preferred an appeal which was also rejected by the appellate authority of the said Institute.

It is contended by Mr. Keyal, learned counsel for the petitioner that the appellate authority had thereafter reviewed the penalty so imposed upon the

petitioner and as a result of such review made; the communication, dated 01.04.2024, was issued by which the penalty imposed upon the petitioner was scaled down and the petitioner has accepted the said penalty.

Mr. Keyal, learned counsel for the petitioner, submits that in terms of the directions passed by this Court vide order, dated 10.11.2023, the petitioner had appeared in the 4th year B.Tech. Degree Examination. However, this Court had granted liberty to the IIT authorities to withhold the declaration of the result in respect of the petitioner and accordingly, the said result of the petitioner is still kept withheld by the IIT authorities.

Mr. Dey, learned standing counsel, IIT, very fairly submits before this Court that the withholding of the result of the petitioner was only on account of the directions passed by this Court vide the order, dated 10.11.2023, passed in this writ petition, and in the event, the Court passes a direction for declaration of the same, the IIT authorities would have no reservation in declaring such result.

In view of the above position; no further adjudication is called for in the matter in view of the fact that the petitioner has accepted the penalty as now imposed upon him vide the communication, dated 01.04.2024.

With regard to the result of the petitioner; it is seen that the petitioner has already appeared in the said examination and the IIT authorities having not brought on record any material justifying keeping the result of the said

examination in case of the petitioner withheld, this Court requires the IIT authorities to declare the result of the petitioner within a period of 15 days from today.

In view of the above and also the acceptance by the petitioner of the penalty as now imposed upon him vide communication, dated 01.04.2024, no further adjudication being called for; this writ petition stands closed.

JUDGE

Comparing Assistant