

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR

WP(C) 3383/2023 CM(4266/2024).

IBRAR BASHIR SHIRAZI.

...Petitioner(s)

Through: Mr. Sheikh Mohammad Faisal, Advocate.

VERSUS

UNIVERSITY OF KASHMIR.

Through: Ms. Mariya Ashraf, Advocate with
Mr. Syed Faisal Qadri, Sr. Advocate.

...Respondent(s)

CORAM:

HON'BLE MR. JUSTICE RAHUL BHARTI, JUDGE.

ORDER
18.09.2025

01. The purported cause of action for the petitioner to come up with the institution of the present writ petition filed in **December 2023** relates to the year 2014 when the petitioner who was undergoing his post-graduation medical studies, claims to have been invited to attend Kashmir University Convocation of year 2014. At this convocation, the petitioner claims he was to be awarded a Gold Medal by Mr. N. N. Vohra, the then Hon'ble Governor of the State of Jammu and Kashmi. The petitioner claims to be honoured both with the Gold Medal and the Certificate of Merit.

02. The Certificate of Merit was to be issued to the petitioner on account of his merit position in the MD Course in Medicine, having secured first position in the final examination held in **May 2011** under roll **No. 539.**

03. There is no dispute to the fact that the petitioner came to be issued and awarded the Certificate of Merit, which is on record in this writ petition issued by the University of Kashmir and bearing the signature of Controller of Examination, dated **29th of November, 2014.**

04. The grievance of the petitioner is that although he was awarded the gold medal in the said Convocation but same was taken back by an unnamed and unmentioned official of the University of Kashmir which was done on the pretext of a shortage of gold medals to be awarded to other gold medal awardees in 2014 Convocation, with an assurance extended to him by the unnamed and unmentioned officials of the University of Kashmir that the gold medal earned by the petitioner would be returned to him after the Convocation as referred

in paras 9 and 10, wherein the petitioner has built up his pretext.

05. The petitioner's grievance is that the said gold medal was never returned to him which he reckons to be merit earned honour and asset. That is why, in the writ petition, the principal relief claimed is a *writ of mandamus* to the sole respondent- University of Kashmir to provide the petitioner with the Gold Medal. Interestingly, word "*return*" has not been stated in the relief part of the writ petition.

06. Assuming for the sake of arguments that the facts narrated in the writ petition are correct, the petitioner ought to have acted with due dispatch in approaching the writ court for the grievance dating back to 2014, instead, he came forward with the institution of this writ petition in 2023. For all the subsequent years, i.e. 2015, 2016, 2017, 2018, 2019, 2020, 2021 and 2022, there is nothing not even a whisper of an averment in the writ petition as to explain what the petitioner was doing all along in the context of his purported claim of retrieving his gold medal from the University of Kashmir.

07. The reply to the writ petition from the University of Kashmir's end is that the petitioner was never meant to be a gold medal awardee and was only invited to the 2014 Convocation for the award of the Certificate of Merit, which was duly awarded to him and that is the reason the said Certificate of Merit is accompanying the writ petition.

08. In the light of this factual position, whereby the respondent- University of Kashmir is expressly denying the entitlement of the petitioner to Gold Medal with reference to his course of studies in MD Medicine dating back to the year 2011, the grievance of the petitioner being agitated in the writ petition filed in the year 2023, is nothing but a writ petition seriously afflicted with delay and laches which remains unattended and unexplained in the entire writ petition rendering the writ petition liable for dismissal.

09. An additional reason for this Court to dismiss the writ petition, besides delay and laches, is the omission of necessary parties as respondents. The

petitioner has not named as to who was the person from the end of University of Kashmir who literally ridiculed the University of Kashmir by approaching him with the claim that there was a shortage of gold medals to be awarded to the rest of the gold medal awardees and therefore, sought the return of the gold medal from him.

10. Further, even the person who allegedly assured the petitioner that the gold medal would be awarded to him at a later stage has not been named nor does such person figure as a party respondent in the writ petition. These two omissions are an express pointer to the fact that the petitioner has come forward with a misconceived and frivolous claim in the writ petition. Accordingly, the writ petition is **dismissed** as such.

(Rahul Bharti)
Judge

SRINAGAR

18.09.2025

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