



SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<u>WPMS/1571/2024</u> Tushar Mahan --Petitioner Versus Hemwati Nandan Bahuguna Central University & Others --Respondents <u>Hon'ble Manoj Kumar Tiwari, J.</u> Mr. Vaibhav Pandit, Advocate for the petitioner, through VC. Dr. Kartikey Hari Gupta, Advocate, for the respondents. (2) Petitioner has challenged order dated 12.4.2024 and 31.5.2024, passed by Dean, Arts, Communication and Languages, HNB Garhwal University, Srinagar. By the first order dated 12.4.2024, petitioner was denied permission to participate in Ph.D. course work examination for Academic Session 2022-23 on the ground that his attendance fell short of what is required. By the subsequent order dated 31.5.2024, it was provided that petitioner shall complete his attendance during Academic Session 2023-24 and only then he will appear in the Ph.D. course work examination. This Court, vide order dated 20.6.2024, had permitted the petitioner to provisionally participate in remaining First Semester Examination. Reportedly, petitioner appeared in First Semester Examination on the strength of that order, however his result is not declared so far. (3) Learned Counsel for the petitioner submits that petitioner fell seriously ill during Academic Session 2022-23. Consequently, he could not attend the



		classes from 25.11.2023 to 25.1.2024 and that is the reason his attendance fell short of required 75 per cent. It is further contended that First Semester Examinations were held from 20.6.2024 to 22.6.2024 and petitioner had completed the required percentage of attendance after 7.3.2024. In support of this contention, petitioner has relied upon endorsement made by Head of Department on 8.6.2024, which is on record as Annexure-7 to the writ petition. (4) Learned Counsel for the petitioner produced a notification dated 21.3.2025, whereby the ordinance framed by the University was notified. Clause 7.1.1. of the said ordinance provides that a Ph.D. student shall be eligible for leave of 30 days. Clause 7.1.5. further provides that a Ph.D. student can be granted medical leave in exceptional circumstances for a maximum period of 45 days. Learned Counsel for the petitioner contends that since the University itself has provided for leave to a Ph.D. student, therefore, the competent authority in the University can grant leave to petitioner and if leave of 45 days is sanctioned to petitioner, then the shortfall in his attendance shall stand regularized. He further submits that petitioner is a Junior Research Fellow, who is getting fellowship from University Grants Commission and has spent three precious years in pursuing Ph.D., and if his result is not declared, it will result in irreparable loss to him. (5) Mr. Kartikey Hari Gupta, learned Counsel for the University, assures that if petitioner makes representation, the same
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			shall be considered sympathetically. (6) Writ petition is, accordingly, disposed of with liberty to petitioner to make representation to the Dean concerned. If he makes representation within ten days from today, decision thereupon shall be taken, as per law, within three weeks thereafter. (Manoj Kumar Tiwari, J.) 21.7.2026 Pr PRABODH KUMAR 
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