

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**Review Application No.393 of 2014 in
CWP No.3001 of 1992**

Date of decision:25.03.2015

Dr. M.L. Asar, Ayurvedic Medical Officer, Government Ayurvedic
Dispensary, Bhandor, District Mohindergarh.

... Petitioner

versus

State of Haryana through the Commissioner & Secretary,
Department of Health, Haryana, Chandigarh, and others.

.... Respondents

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. Birinder Pal Singh Dhaliwal, Advocate,
for the applicant/petitioner.

Mr. Siddharth Sanwana, DAG, Haryana.

Mr. Ajaivir Singh, Advocate,
for respondent No.5.

1. Whether reporters of local papers may be allowed to see the judgment ? No.
2. To be referred to the reporters or not ? No.
3. Whether the judgment should be reported in the digest ?No.

K.Kannan, J. (Oral)

1. The petitioner has filed an application for review of the judgment rendered on 03.07.2014 in the absence of the petitioner to point out that the case could not have been dismissed.

2. The prayer in the writ petition was for direction to the 3rd respondent-College to send the thesis of the petitioner to the 5th

respondent-University which has since been substituted by Baba Farid University of Health Sciences as the 9th respondent. I had dismissed the application on a submission made by the respondent for the University that the thesis can be taken up for appraisal only if there has been a certificate accompanying the thesis from the Guide assigned to the candidate. Since the Guide had written to the Principal of the College that the petitioner had not been acting as per the guidelines, the petitioner appears to have deposited the thesis directly to the College. In the absence of the necessary certification and for a breach of the protocol that prevailed for consideration of a doctoral thesis, the submission of the thesis for appraisal could not be undertaken. Now the prayer made would seem stale and the thesis gathering dust in the College must be taken up for the appraisal by the University.

3. The counsel argues with passion, with the party standing behind and with exuberance all the way, that the thesis is worthy of consideration, I direct the College to assign a Guide to him for whatever work that has been done and he may resubmit the thesis with the certification of a newly assigned Guide. If there are rules which require the submission of a thesis within a particular number of years from the time when the candidate was registered for a Ph.D, I direct the relaxation of the rules as a special case only because the delay was on account of the pendency of the case before this court.

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The Guide assigned to the petitioner will perform such duties as are expected of him and take it from the stage when the thesis would require such further guidance and forward the same to the University for due appraisal. I set no time limit and it is open to the Guide or the College or the University to make any stipulation as to time before when the entire exercise may be completed. The order passed already is withdrawn and the application for review is ordered on the above terms.

**(K.KANNAN)
JUDGE**

25.03.2015
sanjeev