

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2479 of 2015

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Rajesh Kumar Son of Sri Ram Padarth Singh, Resident of I-3, Officers flat New Punaichak, Patna-23, P.S. - Shashtri Nagar, District - Patna.

.... Petitioner/s

Versus

1. The Union of India through the Secretary (Higher Education), Ministry of Human Resources Development, Government of India, Shashtri Bhawan, New Delhi.
2. The Director, National Institute of Technology, Ashok Raj Path, Patna.
3. National Institute of Technology Patna through its Registrar, Ashok Raj Path, Patna.
4. Dean (Academic), National Institute of Technology, Ashok Raj Path, Patna.
5. Prof. Sanjeev Kumar Sinha, HOD (Civil) and Ex-Officeo Chairman, DRC, Civil Engineering Department, NIT, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Amar Nath Singh
For the Respondents	:	Mr. Y. V. Giri, Sr. Advocate
		Mrs. S. K. Giri, Advocate
For the Union of India :		Mr. Sujeet Kumar Sinha, Advocate
For Respondent No. 6:		Mr. Girijesh Kumar

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
ORAL JUDGMENT
Date: 22-11-2016

Heard learned counsel for the petitioner, counsel for the NIT, Patna and Respondent No. 6.

Annexure-1, dated 14.01.2015 is under challenge. Petitioner wants quashing of the same, since by virtue of the said decision petitioner's registration in the Ph.D programme for the session January to May, 2014 has been cancelled.

A speaking order has been passed and communicated by the Registrar of NIT, laying out five reasons in support of the cancellation of the registration.



Initially an impression was sought to be created that the only reason or the primary reason for cancellation of registration was non-grant of permission by the State Government, since the petitioner is the employee of the State Government and is under deputation in a Corporation. However, on a reading of the other four grounds it is evident that there are many a things amiss contrary to the guidelines under which petitioner seems to have managed to go about the manner in which the registration was obtained and the supervisor chosen.

Enrollment and grant of Ph.D is a serious business, unless the object of the petitioner is only to acquire degree without the requisite research behind the submission of the thesis.

The other four reasons, which have been gone through by this Court in fact goes to the root of the matter and, therefore, the cancellation of the pre-registration of the petitioner was warranted in the given facts.

However, learned senior counsel for the NIT very categorically informs the Court that the institution is willing to grant the petitioner registration afresh in terms of the requirements and guidelines whatever be the controversy which led to the cancellation of the registration of the petitioner.

Writ application stands disposed off with liberty to the petitioner that if he is interested in pursuing his research as a Ph.D scholar he is free to approach the authorities of the NIT and achieve

the above objective.

Writ application is disposed off in terms of above.

(Ajay Kumar Tripathi, J)

SKM/-

AFR/NAFR	N.A.F.R.
CAV DATE	
Uploading Date	23.11.2016
Transmission Date	