

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14462 of 2016

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Rajeev Kumar Son of Keshwar Prasad Singh Resident of Village + Post-Khushalpur, Via- Akangersarai, District- Nalanda.

.... Petitioner

Versus

1. The Vice Chancellor Cum Chairman Academic Council, Patna University, Patna.
2. The Registrar, Patna University, Patna.
3. The Director, N.I.T., Patna.
4. The Pro. Vice Chancellor, Patna University, Patna.
5. The Deen Faculties of Engineering in Science, Patna University, Patna.
6. The Head of Civil Engineering Department, N.I.T., Patna.

.... Respondents

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Appearance :

For the Petitioner	:	Mr. Amar Nath Singh, Advocate
For Res. No.6	:	Mr. S.K. Giri, Advocate
For Res. Nos.1&2	:	Mr. Digvijay Singh, Advocate
		Mr. B.J. Jha, Advocate

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 13-12-2016

When the petitioner had approached the High Court earlier in the previous writ application, which was CWJC No.20286 of 2014, a direction was issued upon the Vice-Chancellor of the University to take a decision on the claim of the petitioner to extend his time for completion of Ph.D. with change of guide as well as topic after the expiry of the initial registration.

2. The Vice-Chancellor has passed a speaking order, which has been communicated to the petitioner as per Annexure-1, dated 04.03.2016. This order is under challenge in the present writ application.

3. Submission of the counsel for the petitioner is that the matter should be considered sympathetically. There were reasons beyond the control of the petitioner why he could not complete his Ph.D. and,



therefore, an opportunity should be given.

4. From the narration of events emerging from Annexure-1, it is evident that what the petitioner desires is something which is beyond and in violation of the regulation concerning such registration for Ph.D. degree. A timeframe of four years has been fixed. No doubt in special circumstances the same can be extended by a further period of two years but in this case the petitioner has made application well past the timeframe was over.

5. There cannot be an order in violation of the regulations, which are in place.

6. Even otherwise the Court gets a feeling that the petitioner is not a serious candidate for Ph.D. but he has enrolled more for the sake of acquiring a Ph.D. degree minus the motivation as well as the effort, which goes behind acquisition of degree of Ph.D.

7. Since the impugned order, contained in Annexure-1, is neither arbitrary or irrational, there is no occasion for this Court to interfere with the same.

8. Writ is dismissed.

(Ajay Kumar Tripathi, J.)

S.Kumar/-

AFR/NAFR	NAFR
CAV DATE	NA
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