

THE HON'BLE SRI JUSTICE S.V.BHATT

Writ Petition No.35018 of 2016

ORDER :

Heard Mr.Palle Nageswar Rao for petitioner and Mr.Ch.Jagannatha Rao for Respondent No.2. No representation for Respondents 3 and 4.

The petitioner was admitted into B.Com (Computers) for the academic year 2013-14 in Acharya Nagarjuna University. The petitioner requested for transfer from Acharya Nagarjuna University to Osmania University. The 2nd Respondent issued the following order :

“No.20/D/UGTWS/2014/Acad.III

Date : 26-07-2014

ORDERS

Sub :- Admission on Transfer into B.Com.(Comp.) II year E/M degree course from Acharya Nagarjuna University to St.Mary's Centenary Degree College, St.Francis Street, Sec'bad., for the academic year 2014-15 – Case of Mr.G.Manish Reddy – Orders – Issued.

Based on the consent given by the Principal, St.Mary's Centenary Degree College, St.Francis Street, Sec'bad., sanction is hereby accorded for admission of Mr.G.Manish Reddy, on transfer from Acharya Nagarjuna University into B.Com (Comp.) II year at St.Mary's Centenary Degree College, St.Francis Street, Sec'bad., for the academic year 2014-2015. The candidate is granted exemption from appearing and passing B.Com. 1st year papers as detailed below :

B.Com.(Comp.) 1st year

Papers at Osmania University	Equivalent Papers covered by the candidate at Acharya Nagarjuna University
1. English	1. Covered
2. Second Language (Sanskrit)	2. Covered
3. IHC	3. Covered
4. Business Economics	4. Covered
5. Financial Accounting – I	5. Covered
6. Busi. Orgn. & Mangt.	6. Covered
7. Fundamentals of Information Technology	7. Covered
8. Fundamentals of ‘C’	8. Not covered

Further, he is required to appear and pass the ‘Fundamentals of ‘C’ paper of B.Com.(Comp.) 1st year from St.Mary’s Centenary Degree College, St.Francis Street, Sec’bad., along with failed/not covered papers if any, as per the syllabus in vogue at OU to become eligible for award of degree.

“BY ORDER”

Sd/-xxxx
ASSISTANT REGISTRAR
(Academic)”

The case of the petitioner is that in the examination held in 2015, the petitioner has completed fundamentals of ‘C’, thereafter PR and in the subsequent years he has also completed the subjects stipulated for 2nd and 3rd years. In spite of completion of all the subjects, not issuing the Provisional Certificate is illegal, arbitrary and unsustainable.

The 2nd respondent filed counter-affidavit and places reliance upon the lines, which are shown in italics.

According to the 2nd respondent, the petitioner is yet to complete HVPE, a subject not covered in the syllabus of 1st year Nagarjuna University. If he completes HVPE, the 2nd respondent has no objection to issue the provisional and degree certificate of the petitioner.

I have perused the order, dated 26-07-2014 and also the condition that the petitioner shall complete the syllabus of the 2nd respondent – university. The petitioner is interested in taking the Degree Certificate from the 2nd respondent – university. Unless and until the petitioner completes the syllabus of the 2nd respondent – university, the petitioner cannot claim issue of provisional certificate. Learned standing counsel makes a statement that the petitioner has already applied for writing the examination; the University will permit him to write in the ensuing examination and if the subject is completed, the Provisional as well as the Degree Certificate to the petitioner would be issued.

The Writ Petition is disposed of with the above observations. No order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand disposed of.

S.V. BHATT, J.

Date:14.11.2016

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