

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

CWP-10006-2016

Date of decision : May 20, 2016

Dr. Jaideep

.....Petitioner

Versus

Punjab University Chandigarh & others

.....Respondents

**CORAM : HON'BLE MR.JUSTICE S.S. SARON
HON'BLE MR.JUSTICE GURMIT RAM**

1. To be referred to the Reporters or not?
2. Whether the judgment should be reported in the Digest?

Present : Mr. Surmukh Singh, Advocate
for the petitioner.

S.S. SARON, J.

The petitioner Dr. Jaideep has completed his Ph.D in Science faculty from the Centre for Public Health, Panjab University, Chandigarh. His Ph.D Degree (Annexure P1) has been placed on record.

The grievance of the petitioner is that the Panjab University, Chandigarh-respondent No.1 is allowing other Ph.D enrolled students to also do regular jobs while it is declining similar permissions to others Ph.D. enrolled students from doing regular jobs while pursuing Ph.D degree by stating that they cannot do regular jobs while doing Ph.D. This according to the petitioner is in gross violation of the University Grant Commission Rules and Regulations.

During the course of hearing we asked learned counsel for the

petitioner to show us the Rule which is stated to be violated. Learned counsel has referred to the University Grants Commission (Minimum Standards and Procedures for Awards of M/Phil./Ph.D. Degree) Regulations, 2009 ('Regulations' – for short). A reference has been made to Regulation-5 of the Regulations, which reads as under:-

5. *“Notwithstanding anything contained in these Regulations or any other Rule or regulation, for the time being in force, no University, Institution, Deemed to be University and College/Institution of National Importance shall conduct M.Phil and Ph.D Programmes through distance education mode.”*

The conducting of M.Phil and Ph.D Programme through distance education mode is entirely different from that of pursuing a Ph.D. programme while a Ph.D. enrolled student is doing a regular job. No such Regulation has been shown by learned counsel for the petitioner that a person who is doing regular Ph.D cannot at the same time do a regular job.

Learned counsel for the petitioner, however contends that the decision of the Panjab University in any case is arbitrary inasmuch as allowing some candidates to do regular jobs while doing regular Ph.D programme and at the same time not permitting others similarly placed from doing so.

After giving our thoughtful consideration to the matter it may be noticed that a Ph.D. enrolled student who is aggrieved against such an action may approach the Court, if so advised. The petitioner as already noticed has completed his Ph.D. Therefore, no cause of action has accrued to him to file such a petition.

In the circumstances, there is no merit in the petition and same is accordingly dismissed.

(S.S. SARON)
JUDGE

(GURMIT RAM)
JUDGE

May 20, 2016
Gaurav Sorot