

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

-:-

C.W.P No. 18420 of 2015 (O&M)

Date of Decision: February 26, 2016.

**Dayawanti Education & Welfare
& Charitable Trust (Regd.)**

..... Petitioner

Versus

Maharshi Dayanad University, Rohtak & Another Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL

Present:- Mr. R.K.Malik, Sr. Advocate, with
 Mr. Vijay Dahiya, Advocate, for the petitioner.

Mr. Anurag Goyal, Advocate, for respondent No.1.

Mr. Tribhuwan Dahiya, Advocate, for respondent No.2.

Rajesh Bindal, J.

The petitioner has approached this Court seeking quashing of decision dated 03.08.2015 passed by the Executive Council in its meeting, vide which besides imposing penalty of ₹2 lacs, number of seats in the college for the session 2015-2016 were ordered to be reduced to half.

The only contention raised by learned counsel for the petitioner is that before taking the aforesaid action, no opportunity of hearing was afforded. The inspection report which was put up before the Academic Council and the recommendations made by the Academic Council as were put up before the Executive Council which resulted in passing of the impugned order, were not confronted to the petitioner.

Learned counsel for the University fairly did not dispute the fact that no show cause notice was issued to the petitioner after the inspection report was received by the University, giving opportunity to respond to the discrepancies/deficiencies found at the time of inspection.

After hearing learned counsel for the parties and considering the fact that the petitioner had not been supplied copy of the inspection report for giving opportunity to respond to the discrepancies/deficiencies found at the time of inspection and the decision was taken by the Executive Council on the recommendations made by Academic Council, merely on the comments given at the time of inspection by the committee. The impugned decision dated 03.08.2015 of the Executive Council deserves to be quashed.

Ordered accordingly.

The University shall be at liberty to proceed further in the matter on the basis of inspection report received by it.

Disposed of.

February 26, 2016
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(RAJESH BINDAL)
JUDGE