

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.19403 of 2016

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Alok Ranjan, son of Sri Giridhary Prasad, resident of Vishwalok Mangalasthan
Ramchandrapur, Biharsharif (Nalanda), P.S. - Laheri, District - Nalanda at
Biharsharif.

.... Petitioner/s

Versus

1. The Union of India through the Secretary, Ministry of Human Resources Development Department, Govt. of India, New Delhi.
2. The Secretary, Ministry of Human Resources Development Department, Govt. of India, New Delhi.
3. National Institute of Technology Patna, Ashok Raj Path, Patna – 5, Bihar through its Registrar.
4. Director, National Institute of Technology, Patna, Ashok Raj Path, Patna - 5, Bihar.
5. Dean Academics, National Institute of Technology Patna, Ashok Raj Path, Patna - 5, Bihar.
6. The Board of Governors through its Chairperson, National Institute of Technology, Patna, Ashok Raj Path, Patna - 5, Bihar.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Naresh Dikshit, Adv.

Mr. Lalan Kumar, Adv.

For the UOI : Mr. S.D. Sanjay (ADDL. SOC. GEN.)

Mr. Anshuman Singh, Adv.

For Respondent Nos. 3 – 6 : Mr. Y.V. Giri, Sr. Adv.

Mr. S.K. Giri, Adv.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH



ORAL JUDGMENT & ORDER

Date: 23-11-2017

The petitioner is aggrieved by an order, dated 18.02.2015, whereby, he has been debarred from pursuing his Ph.D. course from National Institute of Technology, Patna (*in short 'the NIT'*) for ever and all his papers in the Mid Semester Examination, from January to May Semester, 2014, have been directed to be cancelled. The petitioner also assails subsequent decision of the Senate, dated 24.02.2015, whereby, the said decision, dated 18.02.2015, has been affirmed. Subsequently, the said decision has been confirmed by the Board of Governors of the NIT in its meeting, dated 03.03.2015, which is also being assailed in the present writ application.

2. I have gone through the contents of the writ application and the counter affidavit filed on behalf of the NIT-respondent Nos. 3 to 6. It is evident from the pleadings on record that the decision to debar the petitioner from taking up Ph.D. course in the NIT and to cancel his examination have been taken on the basis of a finding that he had indulged in serious use of unfair means by misusing his position as an Assistant Professor in the NIT. It transpires that the petitioner was given notice before the impugned decision was taken, which, in my view, does not



require interference, in view of the seriousness of the allegation against the petitioner and the fact that due procedure has been followed by the authority before taking such decision.

3. This application has no merit and is, accordingly, dismissed.

(Chakradhari Sharan Singh, J)

Praveen-II/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	25.11.2017
Transmission Date	N/A

