

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

W.P.Nos.41379/2016 & 4186/2017

COMMON ORDER:

Since these writ petitions share common grievance, this Court deems it appropriate to dispose of the writ petitions by way of this common order.

2. Heard Sri Ramidi Satyanarayana, learned counsel for the petitioner and Sri V.Ramchander Goud, learned Standing Counsel for Respondent-University, apart from perusing the material available on record.

3. Challenge in the present writ petitions is to the action of the Respondents in implementing Regulation 15 for B.Tech (Regular) in the 1st year instead of Academic Regulation 13 for B.Tech (Regular) and to consequently set aside the detention orders.

4. According to the petitioners, they secured admission into B.Tech course pursuant to the rank secured by them in EAMCET-2015 in various colleges affiliated to Jawaharlal Nehru Technological University (JNTU). According to the petitioners, at the time of admission, the respondent authorities adopted Regulation 13 and as per Regulation 13, any student having 75% attendance, despite having backlogs, would be promoted to 2nd year and there was no semester system and only the final examination would be held at the end of academic year and from 2nd year onwards, the choice based credit system would be made applicable as per which semester system would come into force.

5. A counter affidavit deposed by the Registrar, JNTU, Hyderabad is filed, interalia stating that it is false and baseless that the University introduced/implemented academic regulations R15 after the commencement

of the academic year. It is further stated that the academic year 2015-16 commenced on 1.8.2015 and much before the commencement of the academic year 2015-16, there was a meeting of the standing committee of the academic senate held on 23.2.2015, which recommended modifications to the academic regulations R13 and the said recommendations were confirmed in the 19th meeting of the standing committee of the academic senate held on 9.3.2015. It is further stated that on 30.3.2016, an order was passed vide proceedings No.A1/2557/XIXSCAS/2015 for the implementation of the resolution of the standing committee of the academic senate for partial modification of R13 academic regulations from the academic year 2015-16. It is further stated that basing upon those orders, the academic regulations R15 were prepared in the form of booklets and A3 size posters and vide letter dated 9.7.2015, all the Principles of constituent and affiliated colleges of the University were circulated with these posters and booklets for implementing the revised regulations R15 from the academic year 2015-16. In this context, it is also appropriate to refer to Regulation 7.2 of the academic regulation which reads as under:

“A student will not be promoted from I year to II year unless he fulfils the academic requirements of 28 credits out of 56 credits of I year from all the examinations and secure prescribed minimum attendance in I year”.

6. It is further stated that an undertaking was also given by the students who were detained and they availed the opportunity of taking part in the supplementary examinations. The said undertaking given by one of the students reads as under:

“I, Mohd. Ayaz S/o Mohd. Azher, aged about years, Resident of 11-3-233, bearing Hall Ticket No.15RTIAO191 studying with Nawab Shah Alam Khan college in 1st year (B.Tech.) course, hereby

unconditionally undertake that in the event I do not acquire the required credits i.e. 28 out of 56 as specified by the JNTUH in R15 Regulations for first year even after appearing in the Advanced Supplementary examinations to be conducted from 26.5.2016 to 10.9.2016, then I shall oblige for the detention in First year which is as per the regulations of the JNTUH even though I have been permitted by the University to attend the class work of 2nd year 1st semester of the course.

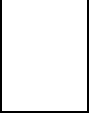
As the JNTUH is favouring the students in conducting advance supplementary examinations and permitted to attend the class work of 2nd year 1st semester of the course for the benefit of the students as such I will not claim any equities nor I will not approach the court of Law if I do not secure 28 credits even after appearing in the advance supplementary examinations to be held from 26.5.2016 to 10.9.2016”.

7. Having regard to Regulation 15, which came to being much before academic year 2015-16 and much prior to joining of the petitioners in the colleges and in view of undertakings given by the petitioners, this Court is not inclined to grant any relief in the present writ petitions in favour of the petitioners.

8. For the aforesaid reasons, both the writ petitions are dismissed. As a sequel, the miscellaneous petitions, if any, shall stand closed. There shall be no order as to costs.

A.V.SESHA SAI, J

Date: 3.3.2017
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