

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP-24354-2017

Date of Decision: 27.10.2017

Prem Pankaj

....Petitioner.

Versus

Union of India and another

...Respondents.

**CORAM:- HON'BLE MR. JUSTICE AJAY KUMAR MITTAL.
HON'BLE MR. JUSTICE AMIT RAWAL.**

PRESENT: Mr. TPS Tung, Advocate for the petitioner.

AJAY KUMAR MITTAL, J.

1. In this writ petition filed under Articles 226/227 of the Constitution of India, the petitioner has prayed for issuance of a writ in the nature of certiorari for quashing the order dated 31.5.2017 (Annexure P-1) passed in Senate meeting ratifying the decision dated 24.5.2017 of Central Research Committee and cancelling the registration of the petitioner in Ph.D.

2. In the year 2013, the petitioner completed his M.Sc. from Himachal Pradesh University and in the year 2015, he completed his M.Phil from Central University of Punjab, Bathinda. Thereafter, the petitioner started pursuing his Ph.D in Physics from respondent No.2. As per Rules and Regulations of Ph.D programme, one year time was given to full time scholar for submission of research plan for confirmation of registration for Ph.D degree whereas it was one and half year for part time scholar. The

one and half year and two years for part time scholar in the meeting of Senate held on 9.11.2012 vide Item No. 11.16(b)(iii) and the said proposal was approved by respondent No.2. The date of registration of the petitioner as Ph.D scholar was 21.8.2015 and the petitioner was required to submit his research plan by 29.2.2017, i.e. within one and half year. For preparation and submission of synopsis, one instrument, i.e. water circulator was very much important and the same was used to raise temperature of the sample. Since the required water circulator could not be purchased, the petitioner under his guide has prepared synopsis with the available water circulator. The petitioner submitted his synopsis in time, but the same could not be sent to the University because of non-availability of the instrument. However, the Ph.D synopsis were submitted on 29.3.2017 with the recommendation of the Department Research Committee who recommended for reconsideration of the proposed synopsis for confirmation of Ph.D registration of the petitioner. However, vide order dated 31.5.2017 (Annexure P-1) at Item No.10, the registration of the petitioner as Ph.D scholar was cancelled in the meeting of the Senate. In view of the order, Annexure P-1, the Dean Academics vide order dated 19.6.2017 (Annexure P-2) cancelled the registration of the petitioner. Against the order of cancellation of his registration as Ph.D scholar, the petitioner filed an appeal on 18.7.2017 (Annexure P-3). However, no decision has been taken thereon. Thereafter, the petitioner sent a reminder dated 5.10.2017 (Annexure P-4) to respondent No.2, but no response has been received till date. Hence, the present writ petition.

3. Learned counsel for the petitioner submitted that for the relief claimed in the writ petition, the petitioner filed an appeal dated 18.7.2017

(Annexure P-3) followed by a reminder dated 5.10.2017 (Annexure P-4) to respondent No.2, but no action has so far been taken thereon.

4. After hearing learned counsel for the petitioner, perusing the present petition and without expressing any opinion on the merits of the case, we dispose of the present petition by directing respondent No.2 to take a decision on the appeal dated 18.7.2017 (Annexure P-3) followed by a reminder dated 5.10.2017 (Annexure P-4), in accordance with law by passing a speaking order and after affording an opportunity of hearing to the petitioner within a period of two weeks from the date of receipt of the certified copy of the order.

(AJAY KUMAR MITTAL)
JUDGE

October 27, 2017
gbs

(AMIT RAWAL)
JUDGE

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No