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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 7854/2018
SWATI SINGH

..... Petitioner

Through Mr. S. Nithin and Ms. Arunima
Singh, Advocates.

versus

JAWAHARLAL NEHRU UNIVERSITY AND ORS..... Respondents
Through Ms. Monika Arora, Standing Counsel
along with Mr. Kushal Kumar,
Advocates for JNU.

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

ORDER

% **30.07.2018**

CM No. 30142/2018 (Exemption)

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

W.P.(C) 7854/2018 & CM No. 30141/2018 (stay)

The present petition under Article 226 of the Constitution of India,
prays as follows:-

- a) *Call for the records of the Proctorial enquiry including the Reports leadings to the Show Cause Notice and Office Order; and*
- b) *Issue an appropriate writ quashing Show Cause Notice No. CP/DMRD/DA/DPRR/JNU/2018 dated 11.05.2018; and*
- c) *Issue an appropriate writ quashing Office Order No.134/CP/2018 dated 11.07.2018; and*
- d) *Direct the framing, publication, and adherence to proper norms and guidelines for the conduct of*

- Proctorial enquiries; and*
e) *Award the Petitioner costs related to the filing of the present Petition; and*

The petitioner is a student of Jawaharlal Nehru University (hereinafter referred to as “JNU”), currently pursuing B.A. Course, Centre for Russian Studies, School of Language, Literature and Culture Studies. The petitioner is aggrieved by the Show Cause Notice bearing No. CPO/DMRD/DA/DPRR/JNU/2018, dated 11th May, 2018 and Office Order No. 134CP/2018 dated 11th July, 2018, whereby, the JNU has found her guilty of conduct unbecoming of a student and visited her with a fine of Rs.10,000/-, in addition to, transfer to another hostel from the present accommodation.

Ms. Monika Arora, learned Standing Counsel appearing on behalf of the JNU states that an appeal against the impugned Office Order dated 11th July, 2018, shall lie before the Appellate Authority.

In view of the foregoing, the present writ petition is disposed of, whilst granting liberty to the petitioner to assail the impugned order by filing an appeal before the Appellate Authority, in accordance with law, within a period of two weeks from today.

The JNU is directed to dispose of the said appeal, when instituted, expeditiously and in accordance with law, and preferably within a period of eight weeks thereafter.

Needless to state that, the Appellate Authority shall abide by the principles of natural justice and afford an opportunity to the petitioner to defend herself against the findings arrived at in the proctorial enquiry,

including affording her adequate opportunity of being heard and producing relevant material.

The JNU is directed to maintain a video record of the entire proceedings.

Till the time that the JNU determines the appeal to be instituted on behalf of the petitioner, in accordance with law, it is directed not to take any coercive action against the petitioner and to make available, all the facilities including, acceptance of thesis, accommodation and registration for course of study etc., as may be necessary for her to continue with her studies with the University.

With the above direction, the writ petition is disposed of. Pending application also stands disposed of.

SIDDHARTH MRIDUL, J

JULY 30, 2018

RS