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

Reserved on- 16th January, 2018

Date of Pronouncement- 24th January, 2018

+ W.P.(C) 9951/2017

RAVI KUMAR

..... Petitioner

Through: Mr.Sudhir Nandrajog, Sr.Advocate
with Mr.Parvinder Chauhan,
Advocates.

versus

STATE (GOVT OF NCT OF DELHI) AND ANR. Respondent

Through: Ms.Avnish Ahlawat, Advocate for R-
2.
Mr.Ankur Chibbar, Advocate for
GNCTD.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

JUDGMENT

1. The petitioner, who is a third year student of B.Tech having been enrolled in the B.Tech. Computer Science course in 2015 in Delhi Technological University i.e. respondent no.2, has filed the present petition being aggrieved by an order dated 03.11.2017 vide which he has been rusticated for the ongoing academic year i.e. 2017-2018 with a further direction that he has to complete his B.Tech degree in five years. The said order passed by the Board of Discipline of the respondent no.2/University also bans the entry of the petitioner in the campus for the said academic year and states therein that he can enter the campus only with the prior permission of the Board of Discipline. Vide the impugned order, the

petitioner has also been put on probation during the period of his entire stay in the University.

2. Before dealing with the facts of the case it may be appropriate to note that during the pendency of the present petition based on an appeal filed by the petitioner, the Vice-Chancellor of the University has, vide his order dated 13.11.2017, while clarifying that the petitioner's rustication would remain in force from January 2018 to June 2018, permitted him to appear in the ongoing examinations of the 5th semester, from which he had been initially barred. As a result thereof, the petitioner who had not been allowed to appear in the examination held on 06.11.2017 and 09.11.2017, was able to appear in the examinations held on 15.11.2017, 16.11.2017, 17.11.2017, 24.11.2017, 25.11.2017 and 27.11.2017. For this limited purpose, the petitioner was also allowed to enter the campus till the date of his last examination.

3. The facts as emerge from the record are that on 18.09.2017, the Petitioner while driving his motorbike in the campus was passing through the faculty residential area when he met with an accident and his motor bike hit a child named Master Shobit, who is the son of a faculty member namely, Ms.Sushila Rani. While the petitioner claims that the accident took place as the child suddenly came out of a van parked on the wrong side of the road, it is contended on behalf of the respondent that the accident took place because the petitioner was driving rashly at a speed of 70 km/hr as against the prescribed speed limit of 20 km/hr in the campus. An FIR being FIR No. 636 P.S. Shahbad Dairy was registered regarding the incident in

which it was stated that the child was taken to Max Hospital, Shalimar Bagh and no eye witness to the incident was present.

4. On 20.09.2017, the mother of the injured child, Ms. Sushila Rani, made a complaint, regarding the incident to the Vice Chancellor of the R2-University. On the basis of her complaint disciplinary proceedings were initiated against the Petitioner by respondent No.2 and a notice dated 22.09.2017 was issued by the Chairman of the Board of Discipline directing the Petitioner to appear before the Board on 25.09.2017. The Petitioner claims that he received the said notice only on 27.09.2017 but he learnt about the Board meeting through other sources and appeared before the board. At the meeting, he apprised the Board members about the incident and also tendered his apology for the unfortunate accident. On 26.09.2017, the petitioner was asked to file a questionnaire and submit his written statement which he did. In the written statement, he admitted about the incident and while stating that the accident was unintentional and due to reasons beyond control of anybody, sought pardon.

5. On the next day i.e. 27.09.2017, the petitioner was called to the site of the accident and certain classifications of the accident and certain clarifications were taken from him. In his statement at the site, the petitioner pointed out that his speed at the time of accident was about 30-40 kmph.

6. The Board of Discipline of respondent No.2 passed the impugned order dated 03.11.2017 rusticating the petitioner from the current academic year, i.e. 2017-2018 and also banned his entry into the campus during that period without prior permission of the Board of Discipline. The Petitioner was, additionally, warned regarding any future misconduct and he along

with his parents was directed to submit an undertaking in person before the Chairman Board of Discipline to not repeat an act of indiscipline in future.

7. As a result of the impugned order, the petitioner was unable to appear in the ensuing examinations of the 5th semester, which commenced on 06.11.2017 and in these circumstances, he preferred the present writ petition. Vide an interim order dated 13.11.2017 this Court, while noticing the interim prayers made by the petitioner for permission to appear in the remaining 6 examinations of the 5th semester, directed the Vice Chancellor to dispose of his pending appeal expeditiously by taking a sympathetic view. Pursuant to the Court's order, the Vice Chancellor passed an order on the same day modifying the original rustication order dated 03.11.2017 by permitting the petitioner to appear in the remaining examinations of 5th semester and specifying therein that his rustication for the current academic year i.e. 2017-18 shall be from January 1st, 2018 to June 30th 2018.

8. Arguing for the petitioner, Mr.Sudhir Nandrajog, Senior Advocate contends that in the facts of the case, the rustication of the petitioner was wholly unwarranted and the same will leave a permanent scar on his career. He submits that the respondents have overlooked the basic fact that the entire incident and injuries to the minor child were the result of an unfortunate accident, which by no means can be treated as an act of indiscipline. He submits that even though the ordinance of the University does not define as to what constitutes misconduct or indiscipline, the actions which have been specifically prescribed to be acts of indiscipline or misconduct on the part of a student, clearly shows that involvement in an

accident cannot be treated to be a misconduct or indiscipline on the part of the student.

9. I deem it appropriate to reproduce Para 4 of the Ordinance in extenso, on which reliance has been placed by Mr.Nandrajog in support of his plea that the petitioner's involvement in an accident, which was admittedly unintentional, cannot be treated as an act of indiscipline on his part warranting his rustication.

“4. Acts of indiscipline and misconduct

(1) Without prejudice to the generality of the power to maintain and enforce discipline under this ordinance, the following shall amount to acts of indiscipline or misconduct on the part of a student of the University:-

- (a) Physical assault, or threat to use physical force, against any member of the teaching or non-teaching staff of any Department or school of the University or against any student of the University.
- (b) Remaining absent from the class test or any examination or any other curricular or co-curricular activity which he/she is expected to participate in;
- (c) Carrying of, use of or threat to use, any weapon;
- (d) Misbehavior, using abusive language or cruelty towards any other student, teacher or any other employee of the University;
- (e) Use of drugs or other intoxicants except those prescribed by a qualified doctor;
- (f) Any violation of the provisions of the Civil Rights Protection Act, 1976;

- (g) Indulging in or encouraging violence or any conduct which involves moral turpitude;
- (h) Any form of gambling;
- (i) Violation of the status, dignity and honour of a student belonging to a scheduled caste or a schedule tribe;
- (j) Discrimination against any student or a member of staff on grounds of caste, creed, language, place of origin, social and cultural background or any of them.
- (k) Practicing casteism and untouchability in any form or inciting any other person to do so;
- (l) Any act or gesture, whether verbal physical or otherwise, derogatory to women;
- (m) Consuming tobacco, liquor or smoking;
- (n) Any attempt at bribing or corruption of any manner or description;
- (o) Willful destruction of the property of the University;
- (p) Behaving in a rowdy, intemperate or disorderly manner in the premises of the University or encouraging or inciting any other person to do so;
- (q) Creating discord, ill-will or intolerance among the students or sectarian or communal grounds or inciting any other student to do so;
- (r) Causing disruption of any manner or description of the academic functioning of the University system;
- (s) Indulging in or encouraging any form of disruptive activity connected with tests, examinations or any other activity of the University;

(t) Truancy and unpunctuality.

(2) The Vice Chancellor may amend or add to the list of malpractices under clause (1).”

According to Mr.Nandrajog, to be treated as a misconduct or an act of indiscipline, the act should be a willful/intentional action which is unbecoming of a student. He submits that merely because an FIR had been registered against the petitioner in respect of an accident, the University cannot treat it as an act of misconduct or indiscipline. His contention being that the very fact that if a faculty member were to be involved in a similar accident, the same would not be treated as a misconduct or act of indiscipline, is in itself sufficient to show that the unfortunate incident in which a minor child was involved cannot be treated as misconduct or an act of indiscipline on part of the petitioner.

10. The next submission of Mr.Nandrajog is that the petitioner has been victimized only because the child who was unfortunately hurt in the accident is the son of a faculty member who had, out of vengeance, made a complaint to the Vice Chancellor . He submits that she had perhaps got agitated with the behaviour of the wife of one Professor Nand Kumar, who was the local guardian of the petitioner. While drawing my attention to her complaint made on 20.09.2017 i.e. two days after the accident, Mr.Nandrajog submits that it is evident from a bare reading of the complaint that it was made in a fit of anger. I deem it appropriate to reproduce the portion of the complaint on which heavy reliance has been placed by learned senior counsel for the petitioner.

“It is also pertinent to mention here that Prof. Nand Kumar is local guardian of this student and it is very surprising that wife of Prof. Nand Kumar was remain present at the time of accident but the behaviour of Mrs. Nand Kumar was uncivilized and in continuation of her act she behaved with abusive language with my mother in law, my husband even though she was aware of the fact but did not provide any/and of support to my ward in extension of medical facility and allow to Mr.Ravi Kumar to flew away for the location of incident.”

11. By placing reliance on the decision of a Division Bench of the Karnataka High Court in the case of *T.T. Chakravarthy Yuvaraj & Ors. vs. Principal, Dr.B.R. Ambedkar Medical College*, AIR 1997 Kar. 261, and *Akshay Chaudhary & Anr. vs. University of Delhi*, (2010) 174 DLT 645, Mr.Nandrajog contends that the relationship of the Head of the Institution and the student is that of a parent and child and, therefore, the punishment imposed on the student should be with the purpose of correcting the fault and to ensure that any act of the student does not bring disrepute to the institute. The plea, therefore, is that an unfortunate accident on the road can by no means be treated as such an act which in any manner impinges on the discipline in the Institute.

12. The next submission of learned senior counsel for the petitioner is that while imposing the extreme penalty of rustication on the petitioner, the respondents have not followed even the basic principles of natural justice. While referring to the questionnaire which the petitioner was asked to fill as also the written statement given by him at the site at the asking of member of Board of Discipline, Mr.Nandrajog contends that the cuttings in the handwritten answer to the questionnaire as also in his written statement, in itself show the manner in which proceedings were conducted and he was

pressurized to admit the fault. The relevant portion thereof reads as '*hereby confirm my little involvement*' and the cuttings therein clearly show that he had initially written '*hereby confirm, my no involvement*' and the phrase 'No involvement' was perhaps under duress changed to 'little involvement'. He submits that admittedly, no show cause notice containing the allegations against him was issued to the petitioner and he was merely asked to present himself before the Board of Discipline on 25.09.2017.

13. The last, though one of the foremost submissions of Mr.Nandrajog, is that the petitioner has already suffered for over two months and, therefore, he prays that the period of rustication may be modified to the period already undergone. He submits that the punishment of rustication upto June, 2018 is grossly disproportionate and this rustication upto June, 2018 will have a cascading effect on the petitioner's career, who is a young bright student undergoing the coveted course of B.Tech. in Computer Science from a prestigious university. He submits that though the Vice Chancellor was expected to take a sympathetic view in the matter but it is evident that he has instead of reducing the period of rustication, as is sought to be contended by the learned counsel for respondent No.2, maintained the original rustication itself by directing that the same would remain in force till 30th June, 2018. He submits that the initial rustication being for the academic year 2017-18, would have ended on 30th June, 2018 and, therefore, as a result of the Vice Chancellor's order, there is no change in the period of rustication. Elaborating further, Mr. Nandrajog submits that the Vice Chancellor's order of rustication also mandates that the petitioner should complete the course in 5 years and in case he fails in any exam afterwards, he will not get his

degree. The plea of the learned senior counsel for the petitioner thus is that the petitioner's entire academic career has been put at stake as he will virtually lose one entire year of his academic career and will then have to complete his course in the remaining 4 years.

14. Per contra, Ms.Ahlawat, learned counsel for the respondent No.2, while opposing the petition, contends that in disciplinary matters involving students, the Courts ought not to interfere as it is the officials dealing with indisciplined students who are the best judge of how to deal with the student and handle an atmosphere of indiscipline created by the student for the smooth running of the institute.

15. Learned counsel for the respondents submits that the petitioner was driving a motor bike rashly at a speed of 70 km/hr in the residential complex of the University Campus, where he was not supposed to go and that too with an expired driving licence, leading to an accident causing grievous injuries to a school going minor child and therefore, contends that the respondents were fully justified in imposing the punishment of rustication on him. She submits that the Board of Discipline of the University had after giving the petitioner full opportunity to explain his stand both orally and in writing, come to a conclusion that he was guilty of an act of gross indiscipline and therefore, keeping in view the nature of his misconduct and indiscipline and also by considering his previous acts of indiscipline, imposed the penalty of rustication for the academic session of 2017-18, which has now been reduced by the Vice Chancellor to only 6 months.

16. Ms.Ahlawat submits that right from the beginning of his admission in the University the petitioner has been an undisciplined student and,

therefore, deserves no indulgence from this Court. She points out that in the very first year of his joining the respondent no.2, the petitioner was involved in fighting among students pursuant where to the senior students involved in the incident were given a warning and imposed the fine of Rs.10,000/-. The petitioner and other students of first year were put under probation for their entire period of stay in DTU with a warning not to repeat an act of indiscipline in future. She submits that the petitioner's parents had been asked to give an undertaking that he would not repeat the act of indiscipline in future and he was cautioned that stern action may be taken against him in case of repetition of any act of indiscipline.

17. She further submits that in January, 2017, the petitioner yet again indulged in indiscipline and tarnished the image of the institute by contacting the media and providing them with distorted news without bringing the issue to the notice of the university and the competent authority before doing so. This according to Ms.Ahlawat, was a serious act but, since the petitioner submitted his apology in writing on 01.02.2017, no action was taken against him except verbally warning him that he should not indulge in any illegal activities as he was already on probation and was advised to spend his time on academics. Mrs. Ahlawat submits that in the given facts, the punishment of rustication is fully justified and the petitioner despite earlier warnings given to him, has again indulged in an act of gross indiscipline and, therefore, deserves no sympathy or indulgence from this Court.

18. Upon hearing the rival contentions raised by the parties, the only issue which arises for consideration in the present case is whether the involvement

of a student in a motor accident for which an FIR under Sections 279/337 IPC stands registered against him, can be treated as such a gross act of indiscipline or misconduct so as to warrant the punishment of rustication. As a corollary thereof, a question would also arise as to whether in the facts of the present case, can the punishment of rustication be termed as shockingly disproportionate, as is contended by learned Senior Counsel for the petitioner.

19. The admitted facts which emerge from the record show that the incident which is the genesis of the penalty imposed on the petitioner, was the collision of a motor bike being driven by him with a minor child resulting in serious injuries to the child. The respondents have, while conceding that the accident resulting injuries to the minor child, was an unintentional act, urged that the accident was a result of rash driving by the petitioner in the residential campus block of the University, where he had no reason to go and, therefore, was a clear case of gross indiscipline and misconduct.

20. Since the petitioner has not challenged the fact that he was driving a motor bike with an expired driving licence at a speed limit more than the prescribed speed limit of 20 km/hr in a part of the campus, the only issue which needs to engage this Court is as to whether the incident even if seen as an act of indiscipline was a case of such gross indiscipline, that the penalty imposed on him was commensurate with the misconduct. In other words, the only question would be as to punishment imposed meted out to the petitioner is proportionate or whether it can be termed as shockingly disproportionate.

21. To decide whether the punishment meted out to the petitioner can be considered as disproportionate or not, one has to necessarily consider the circumstances in which the incident occurred as also to keep in mind the nature of relationship between the petitioner, a student and the University. In my considered opinion, the duty of the Institute is to nurture its students, who join the Institute as young teenagers at the age of 17-18 years and every attempt must be made to help them blossom as responsible adults. No doubt, this responsibility would give the power and right to discipline them but the moot question would be whether, under the garb of discipline, such a penalty be meted out to them so as to harm their future, even when the Institute is conscious of the fact that the act of the student, though faulty, was unintentional.

22. Before arriving at a decision regarding the disproportionality or otherwise of the penalty of rustication from January, 2018 to June, 2018, I cannot be unmindful of the fact that from 3rd November, 2017 itself, the petitioner already stands rusticated and it was only after he had approached the Court that an order was passed by the Vice-Chancellor permitting him to appear in some of the exams held in November, 2017. A reference to the complaint made by the injured child's parent who happens to be an Assistant Professor, also makes me wonder whether the extreme punishment of rustication was in any manner, influenced by anger expressed by the mother of the injured child. Was it not the duty of the Board of Directors to consider the matter from the aspect of not merely punishing the young student but also from the angle of improving him. Another aspect which I find disturbing in the present case is that despite the petitioner attempting to

tell the Board of Directors in no unclear terms that the incident was an unfortunate accident, an attempt has been made to paint the whole incident as an act of gross misconduct and indiscipline. The attempt to refer to some previous incidents in which he was involved with a group of students as being gross acts of indiscipline, even though he was merely warned, for those incidents also shows that the approach of the Institute was not fair.

23. On the aspect of proportionality of penalty imposed on students by an academic institution, this Court has, in the case of *Akshay Chaudhary & Anr. Vs. University of Delhi & Anr.* in WP (C) No.1897/2010, while dealing with a case of rustication of students involved in ragging, not only referred to the judgment of the Karnataka High Court on which heavy reliance has been placed by the learned senior counsel for the petitioner, but also emphasized that the relationship between the head of an institution and a student is that of parent and child. This Court in the aforesaid judgment opined that the purpose of the punishment to be imposed, is to correct the fault of the student by ensuring that the penalty is commensurate with the gravity of the misconduct, which reads as follows:-

“15. This Court has however reconsidered the matter only on the thought that, all in all punishment hardens and renders people more insensible; it concentrates; it increases the feeling of estrangement; it strengthens the power of resistance (courtesy Friedrich Nietzsche, German Philosopher) and that any punishment that does not correct, that can merely rouse rebellion in whoever has to endure it, is a piece of gratuitous infamy which makes those who impose it more guilty in the eyes of humanity, good sense and reason, nay a hundred times more guilty than the victim on whom the punishment is inflicted. (courtesy Marquis De Sade, French Novelist). The French Philosopher Voltaire famously said that the punishment

of criminals should be of use, when a man is hanged he is good for nothing. Justice Krishna Iyer also in ***Gudikanti Narasimhulu v. Public Prosecutor, High Court of A.P.*** AIR 1978 SC 429 observed that punitive harshness should be minimized.

16. The petitioners were young lads barely 20 years old when indulged in ragging. Undoubtedly they are guilty, however the said guilt will be in the context of their youth. Aristotle said “Young people are in a condition like permanent intoxication, because youth is sweet and they are growing”. Oscar Wilde by saying “To get back one’s youth one has merely to repeat one’s follies” put the matter succinctly.

17. The question therefore which perturbed me was that when the Regulation aforesaid provides for administrative punishment, of minimum of suspension from attending classes and academic privileges and maximum of expulsion from the Institution and consequential debarring from admission to any other Institution for a specified period, whether the maximum punishment is today justified. The signal intended to be sent by expelling the petitioners has already reached where it was intended. The petitioners have shown sufficient remorse. They have not indulged in any reckless litigation. I find that students punished for ragging or violation of disciplinary norms of the College/University have approached this Court in the past with all kinds of pleas, of the principles of nature justice having not been complied with, hearing having not been given, right of cross examination having been not given (see ***Ashish Bhateja v. Indian Institute of Technology***, AIR 1993 Delhi 354 and ***Mansoor Azam v. Jamia Millia Islamia*** 90(2001) DLT 735). The petitioners have not indulged in disputes of any such nature.

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19. The Supreme Court in ***Ranjit Thakur Vs. Union of India*** AIR 1987 SC 2386 held that the question of choice and quantum of punishment, though within the jurisdiction and discretion of the punishing authority, but the sentence has to

suit the offence and the offender; it should not be vindictive or unduly harsh nor it should be so disproportionate to the offence so as to shock the conscience and amount in itself to conclusive evidence of bias; the punishment if in outrageous defiance of logic, then would not be immune from correction. Reliance was placed on the earlier judgment in ***Bhagat Ram Vs. State of Himanchal Pradesh*** AIR 1983 SC 454 laying that penalty imposed must be commensurate with the gravity of the misconduct and that any penalty disproportionate to the gravity of misconduct would be violative of Article 14 of the Constitution.

20. The Supreme Court in ***B.C. Chaturvedi Vs. UOI*** AIR 1996 SC 484 held that the Court in exercising the power of judicial review, depending upon the facts, is empowered to appropriately mould the relief, either by itself imposing another penalty with a view to shorten the litigation or by referring matter back to the disciplinary authority. The disciplinary authority in the present case being the Vice-Chancellor as in-charge of the educational Institution, with a view to ensure that discipline is maintained and required to be armed with sufficient power so that those who are to study and improve their careers should not be the victims of a handful of persons in the Institution who spoil the academic atmosphere by indulging in anti-social activities in the matter of discipline has chosen not to consider the representation of the petitioners.

21. The Division Bench of the Karnataka High Court in ***T.T. Chakravarthy Yuvraj Vs. Principal, Dr. B.R. Ambedkar Medical College***, AIR 1997 Karnataka 261 held that in inflicting appropriate punishment, certain aspects have to be borne in mind. The relationship of the Head of the Institution and the student is that of a parent and child, the punishment imposed should not result in any retribution or give vent to a feeling of wrath. The main purpose of punishment is to correct the fault of the student concerned by making him more alert in future and to hold out a warning to other students to be careful, so that they may not expose themselves to similar punishment and the approach is that of a parent towards an erring or

misguided child. It was held that the concerned Head of the Institution must necessarily have an introspective and a rational faculty as to why lesser penalty cannot be imposed. In doing so, it should also be borne in mind that when the maximum penalty is imposed, total ruination stares one in the eye rendering such student a vagabond as being unwanted both by the parents and the educational Institution. Frustration that would result would seriously jeopardise young life. Every harsh order results in bitterness and arouses a feeling of antagonism and many a time turns a student into an anti-social element and in that way it results in more harm than good to the society. A student in the hands of Principal/Head is a child in the hands of a parent and a parent would never want the career of a child to be completely destroyed by expulsion which necessarily renders him unfit for any other career either, for no College would be willing to grant them admission to enable them to complete their studies thereby leading to such frustration and disappointment or despondency which may lead even either to suicide or turn them into antisocial elements.

22. Therefore permanently putting an end to the career of the petitioners would not be an appropriate punishment. The Karnataka High Court quotes Shakespeare in "Merchant of Venice": "Justice should be tempered with mercy" and Jesus Christ: "They know not what they do. Forgive them." 23. In the words of George Bernard Shaw "If you are to punish a man retributively, you must injure him. If you are to reform him, you must improve him and men, are not improved by injuries." Modern penologists hold the view that punishment should not necessarily be „retributory“ and „deterrent“ but should be „rehabilitative“. Hegel, a German Philosopher in his theory on Punishment asserts that "object of punishment is to make the criminal repent his crime, and by doing so to realize his moral character, which has been temporarily obscured by his wrong action, but which is his deepest and truest nature." Justice Krishna Iyer in *Mohammad Giasuddin Vs. State of Andhra Pradesh* (1977) 3 SCC 287 emphasized "The subculture that leads to anti-social behaviour has to be countered not by undue cruelty but by reculturation.""

24. Thus in any view, while giving autonomy to the institute to maintain its standards and ensure disciplined behaviour by the students, injustice cannot be allowed to be meted out to the student. The institution is also expected to treat the student fairly and the process by which it imposes penalties on the student should take into consideration all the relevant factors, including the nature of alleged act of indiscipline and misconduct.

In the light of facts as noted above and the decisions referred to hereinabove, I am of the considered view that for the act in question, which is alleged to be rash and negligent, the penalty imposed on the petitioner vide order dated 03.11.2017 as modified by order dated 13.11.2017 passed by the Vice Chancellor, is shockingly disproportionate, and cannot be sustained.

25. Having found the penalty to be shockingly disproportionate, I would normally have remanded the matter back to the respondents for re-consideration of the penalty. However, keeping in view the need to urgently decide the penalty to be imposed on the petitioner as the academic session has already started, instead of remanding the matter once again to the respondent, I deem it appropriate to mould the punishment of rustication by directing that the same would be treated only upto 15.01.2018 instead of till June, 2018 specially keeping in the view that the Petitioner, who, besides facing criminal proceedings in the FIR, has already suffered for over two months. The other directions in the impugned order dated 03.11.2017 regarding the petitioner being put on probation during his academic career are, however, sustained. The petitioner would be allowed to register for the

next semester within seven days and would be allowed to attend regular classes.

26. The petitioner will, however, not be allowed to either enter the hostel or the residential part of the campus. The petitioner will also pay costs of Rs.50,000/- to be used towards the Students Welfare Fund of the Institute.

27. The writ petition is allowed in the above terms.

REKHA PALLI, J

JANUARY 24 , 2018/gm