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

+ **W.P.(C) 3748/2016 & CM APPL.15946/2016**

PRAVEEN KUMAR SINGH

..... Petitioner

Through: Mr. Kamlesh Kumar Mishra, Ms. Kriti Kumari, Mr. Rahul Kumar, Mr. Rahul Maurya & Ms. Varnika Singh, Advs.

versus

UNIVERSITY OF DELHI & ORS

..... Respondents

Through: Mr. Mohinder J.S. Rupal, Mr. Prang Newmai & Mr. Kaushik Ghosh, Advs. for R-1
Mr. Ravinder Agarwal & Mr. Lekh Raj Singh, Advs. for R-5
Mr. Rakesh Kumar, CGSC (UOI) with Mr. Raghav Nagar, Adv. for R-6 & R-8

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE C.HARI SHANKAR

ORDER

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03.07.2019

This so called public interest litigation has been preferred with the following prayers:

“A) pass an order directing respondent to take immediate steps to implement section 33 of the Delhi University Act 1922, with immediate effect ensuring that all the regular students studying in Delhi university get accommodation.

B) pass an order directing respondent no. 1 to pay a stipend of Rs.10,000 to each regular student studying in the respondent university to whom it is not able to provide the hostel facility as per section 33 of the Delhi University Act.

- C) pass an order directing the Delhi government & other respondents to declare the area in and around the 5 Km radius of the Delhi University "south Campus and North campus" be declared as a Special students zone where a minimum rent is fixed for the accommodation for the students.*
- D) pass an order directing that the disparity between the rates of the departmental canteen food for staff members and canteen for students should be harmonized on a "no profit no loss" basis.*
- E) pass an order directing the University to keep the library*
- F) open and also restart the reading room with 24x7 access for the students. Also, provide air-conditioned facilities in both the structures.*
- G) For an order directing the hostel mess rates for hostellers and non-hostellers be made the same and non-hostellers not be made to pay extra.*
- H) pass any other order/orders which this Hon'ble Court may deem fit and proper."*

Having heard the counsel for the petitioner and keeping in view the facts and circumstances of the case, it appears that there are allegations about the duty of the Delhi University under the Delhi University Act, 1922 especially Section 33 thereof, to provide hostel facilities for every student.

We have perused the Section 33 of the Delhi University Act, 1922. There is no statutory obligation for the Delhi University to provide for the hostel facilities to each and every student who are getting admission in the Delhi University. Moreover, there is a prayer for payment of stipend of Rs.10,000/- per student.

Learned counsel appearing for the petitioner submitted that there are as many as two lakh students who are studying in Delhi University. The

total budget will come to Rs.2000000000/- (Rupees twenty thousand lakh). This is nothing but perversity of the petitioner. There is no such statutory obligation on the part of the university to provide any such donation/ stipend. Moreover, there are other prayers about the other facilities like canteen food for staff members and canteen for students on a "no profit - no loss" basis.

It appears that Delhi University is already providing the hostel facilities as per the accommodation available within their campus and out of the campus. Canteen facility has also been provided to the students, the rates of eatable items cannot be finalised by the Court and that too, in a public interest litigation. The students are staying in the Delhi University with hostel facilities as per its availability with the Delhi University and other facilities like library etc.

Keeping in view the above, we see no reason to entertain this public interest litigation and to give further directions to the Delhi University.

It is expected from Delhi University that if they can provide more accommodations/hostel facility to the students, keeping in view the financial capacity of the university as to availability of the budget, the same will be done by the Delhi University. We are making explicitly clear that there is no direction by this Court upon respondent – Delhi University. These facilities to all the students can be enhanced looking to the financial capacity, availability of the budget and availability of the land. There is also limitation and priorities of the University so far as the nature of the construction within the campus is concerned. Hence, we see no reason to give any specific direction to the respondent – Delhi University.

With the aforesaid observation, the writ petition is hereby disposed of.
Pending application also stands disposed of.

CHIEF JUSTICE

C.HARI SHANKAR, J

JULY 03, 2019/ns