

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP No. 20063 of 2020 (O & M)

Date of decision: 18.01.2021

112+227

Sagar and another

....Petitioner(s)

Versus

Union of India and others

....Respondent(s)

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA

Present: Mr. P.S. Poonia, Advocate,
for the petitioners.

Mr. Arvind Seth, Advocate,
for respondent no. 1.

Mr. Naveen R. Naath, Advocate,
for respondent no. 2.

Mr. Avinash Kumar, Advocate,
for Mr. Kuldeep Tewari, Advocate,
for respondent no. 3.

Mr. Shivendra Swaroop, AAG, Haryana,
for respondent no. 4.

Mr. Yashpal Rangi, Advocate,
for respondent nos. 5 and 6.

(Proceedings are conducted through video
conferencing as per instructions).

G.S.SANDHAWALIA, J. (Oral)

C.M. No. 671-CWP of 2021 is allowed to the only extent that
Annexure A-1 is taken on record.

The petitioners, who are students, seek quashing of the order
dated 05.10.2020 (Annexure P-1) passed by respondent no. 2-Council of
Architecture and restraining the respondents from taking action on the same.

Vide the said order, respondents no. 5 and 6 were held, as such, to be

imparting deficient education in Bachelor of Architecture degree course and, therefore, the Executive Committee of respondent no. 2 decided that the admission be put to zero for 2020-21. The concerned university, which is respondent no. 3, was requested for transfer of the students studying in all the said courses to the other approved institutions immediately. The petitioners having taken admission in the year 2015-16 in the said institute had approached this Court apprehending academic disadvantage on account of the said action on the ground that they were studying in the 9th semester (final year) and the training was to be over in December and they should not be disturbed till then.

This Court had noticed the said contention on 25.11.2020 and having serious doubt about the *locus standi* of the petitioners to raise the legal issues, issued notice to the limited extent of only protecting the interest of the petitioners. It had, thus, been brought to the notice on the subsequent occasion that the institute-respondents no. 5 and 6, as such, had challenged the said decision before the Delhi High Court in CWP No. 8269 of 2020 and the interim relief had been declined on 11.11.2020. The said order was further upheld by the Division Bench on 26.11.2020, which has now been placed on record.

Respondent no. 2, in its reply, has also held out that 9th and 10th semesters are meant for practical training and it will ensure that the petitioners would continue with the practical training and they are able to complete their remaining term semester with practical training without disruption and all necessary arrangements would be made. Vide order dated 04.01.2021 (Annexure A-1), respondent no. 3-institute has also shifted the petitioners to the Delhi Institute of Architecture and Planning, Faridabad

(College code-F294).

Mr. Poonia has raised apprehension that they would continue in the 9th semester as per the chart attached alongwith the said letter.

Mr. Naveen R. Nath, counsel for respondent no. 2 dispels any such disadvantage which the petitioners would face and submits that the affidavit filed by respondent no. 2 will be duly honoured. The petitioners, thus, shall be allowed to complete their practical training and complete their 10th semester as per the necessary requirements, even though they had been formally, as such, been transferred to the other institute at Faridabad.

Accordingly, the present writ petition is disposed of binding respondents no. 2 and 3 with the above said undertaking.

18.01.2021
shivani

(G.S. SANDHAWALIA)
JUDGE

Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No