

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No. 6 of 2023

Pradyumna Nayak

.....

Petitioner

Mr. S. Roy, Advocate

Vs.

Sambalpur University & Ors

.....

Opposite parties

Mr. K.A. Guru, Advocate

CORAM:

DR. JUSTICE B.R. SARANGI

MR. JUSTICE B.P. SATAPATHY

ORDER

04.01.2023

Order No.

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This matter is taken up through hybrid mode.

2. Heard Mr. S. Roy, learned counsel appearing for the petitioner and Mr. K.A. Guru, learned counsel appearing for the opposite party-Sambalpur University.

3. Pursuant to order dated 03.01.2023, Mr. K.A. Guru, learned counsel appearing for the opposite party-Sambalpur University files a memo incorporating certain documents as Annexures-A to H justifying the action taken against the petitioner by the University authorities. He contended that in spite of order dated 20.12.2022 issued by opposite party no.2, the petitioner is not vacating the hostel though the other student, namely, Napoleon Sahoo has already vacated the hostel. The memo so filed in Court today be kept on record.

4. Mr. S. Roy, learned counsel appearing for the petitioner disputed the contentions raised by learned counsel appearing for the opposite parties. He contended that on receipt of the

letter dated 20.12.2022, the petitioner has vacated the hostel, but he made a prayer that he may be allowed to appear in the 7th Semester Examination, which is going to be commenced from 05.01.2023, in the larger interest of his academic career.

5. Mr. K.A. Guru, learned counsel appearing for the opposite party-Sambalpur University vehemently opposed the prayer of the petitioner and contended that due to unruly situation created by the petitioner, action has been taken against him expelling from the hostel and leaving the campus for a period of one year. Therefore, if he is allowed to appear in the 7th Semester Examination, he will create further disturbances in the University campus.

6. Considering the contentions raised by learned counsel for the parties and after going through the records, admittedly the petitioner has shown unruly conduct in the University campus for which action has been taken by the authority expelling him for a period of one year from the University campus and directing to vacate the hostel. But fact remains since the petitioner is a student and his 7th Semester examination is going to commence from 05.01.2023 and in the event he is not allowed to appear in the said examination, he may lose one year. As such, the petitioner has expressed his remorse and begged unconditional apology for his conduct. Learned counsel for the petitioner contended that the petitioner will file an undertaking before the Vice Chancellor, Sambalpur University to the effect that he will not repeat such

misconduct in the University campus so as to disturb the peace and tranquility of the premises and further he will not create any hindrances anywhere in the campus. If the petitioner has not vacated the hostel pursuant to order dated 20.12.2022 issued by opposite party no.2, he is directed to vacate the same immediately. In the event the petitioner creates any disturbances, it is open to the University authorities to take immediate action against him and not to allow him to appear in the examination. On receipt of the undertakings, the Vice Chancellor, Sambalpur University shall allow him to appear in the 7th Semester Examination which is going to commence from 05.01.2023.

7. Put up this matter after three weeks.
8. Issue urgent certified copy as per rules in course of the day.

(DR. B.R. SARANGI)
JUDGE

(B.P. SATAPATHY)
JUDGE

Alok