

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

Sr. No.234

**Civil Writ Petition No.14533 of 2019
Date of Decision : September 27, 2022**

Balwinder Singh Ghuman

...Petitioner

Versus

Chairperson of Dr. Shanti Swaroop Bhatnagar University Institute of
Chemical Engineering of Technology Panjab University and others.

...Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Jagdish Manchanda, Advocate,
for the petitioner.

Mr. Gursher Singh, Advocate for
Mr. Suvir Sidhu, Advocate,
for the respondents.

SUDHIR MITTAL, J. (ORAL)

The petitioner took admission in the Ph.D. course offered in the subject of Chemical Engineering in the year 2013. Maximum period prescribed for submission of thesis is three years. As he was unable to submit his thesis within the prescribed period, he sought extension which was granted upto 09.10.2017 vide communication dated 15.11.2017. Since, period of extension had already expired, the petitioner made another request for extension but the same was refused vide order dated 27.09.2018. Aggrieved, the petitioner approached this Court through CWP No.30261 of 2018 which was dismissed as withdrawn vide order dated 03.12.2018

granting liberty to the petitioner to follow up his requests for extension under Regulation 13 of the Panjab University Regulations (hereinafter referred to as the Regulations) for conduct of examinations in Doctor of Philosophy in the Faculty of Engineering and Technology. Consequently, the petitioner submitted representation dated 22.01.2019. To examine the same, the Vice-Chancellor constituted a Committee which refused to grant extension in the meeting held on 07.02.2019. The decision was communicated to the petitioner vide letter dated 22.02.2019. Subsequently, a speaking order dated 13.04.2019 was passed rejecting the request for extension on the ground that Regulation 13 of the Regulations is not applicable to the petitioner as the said Regulation is applicable only to internal candidates. Regulation 11 governed the petitioner, according to which maximum extension available was of three years. Moreover, the petitioner had concealed material particulars while taking admission to the Ph.D. Course. He did not reveal that he was employed as a contractual faculty in Sant Harchand Singh Longowal Institute of Engineering & Technology and was employed as a Production Engineer in a factory while pursuing his Masters in Chemical Engineering. It was also noted that various faculty members had complained against the petitioner from time to time. Taking all these factors into consideration, the request for extension was denied.

2. Learned counsel for the petitioner has argued that Regulation 11 is not applicable in the instant case. Regulation 13 is applicable whereunder maximum extension of 8 years can be given. In the year 2019, 08 years had not elapsed and thus, the refusal to grant extension is illegal.

3. Learned counsel for the University submits that the petitioner not being an internal student, was not entitled to the benefit of Regulation 13. Moreover, no argument has been raised regarding other two issues flagged in the speaking order. The petitioner had concealed the factum of him being employed at the time of joining the Ph.D. Course. He is also prone to making frivolous complaints. Extension cannot be sought as a matter of right and is a discretionary relief. Thus, refusal to grant extension cannot be said to be illegal.

4. A copy of the Panjab University Calendar Volume-II, 2007 has been handed over in Court. I have perused the same. Regulations aforementioned are part of Chapter-VIII. They are under the sub-heading of 'Doctor of Philosophy in the Faculty of Engineering and Technology'. A perusal thereof clearly shows that Regulation 13 being relied upon by the petitioner does not find mention therein. Regulation 11 governs grant of extension and the maximum period prescribed thereunder is three years. Thus, the maximum period had expired in the year 2019. Moreover, learned counsel for the petitioner has not been able to bring to the notice of this Court any material to establish that petitioner was not employed at the time of taking admission. He has also not been able to establish that the finding regarding the petitioner being a person of troublesome and quarrelsome nature is perverse.

5. It may also be observed that grant of extension is not a matter of right. The University has retained discretion to grant extension for submission of thesis if it is of the opinion that valid reason exist. The

The writ petition has no merit and is dismissed.

(SUDHIR MITTAL)
JUDGE

Yes

Yes