

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4528 of 2023

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Shubham Kumar Son of Sarveshwar Kumar, Resident of Village-Mauna,
P.O.-Taraom, P.S.-Nasriganj, District-Rohtas.

... .. Petitioner/s

Versus

1. The National Institute of Technology Patna through its Director.
2. The Director, National Institute of Technology, Patna.
3. The Registrar, National Institute of Technology, Patna.
4. Dean (Academic) National Institute of Technology, Patna.
5. Dean, Student Welfare, National Institute of Technology, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Shatanu Kumar Mr. Vikash Kumar
For the Respondent/s	:	Mr. Y. V. Giri, Sr. Adv. Mr. Sanjay Kumar Giri

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 08-05-2023 Heard learned counsel for the parties concerned.

2. The present writ application has been filed by a student of B.Tech course of the National Institute of Technology, Patna, challenging the order dated 24.11.2022, by which the petitioner has been debarred for academic year 2022-23 from all academic activities and from hostel accommodation also.

3. The matter was heard on 04.05.2023 by this Court and this Court granted time to learned senior counsel and learned counsel appearing for the respondents to take instruction from the National Institute of Technology, Patna, in order to



resolve the issue.

4. Mr. Sanjay Kumar Giri, learned counsel appearing for the National Institute of Technology submits that in the best interest of the student, the National Institute of Technology, Patna has agreed to allow the petitioner to participate in the academic activities from the 5th Semester, which will commence from July, 2023.

5. Learned counsel further submits that on the basis of unconditional apology given by the petitioner to the respondent, that the petitioner shall not break any rule/order/guidelines of the institute or warden in future, the respondents-National Institute of Technology, Patna has agreed to allow the petitioner to avail the hostel facility also.

6. Learned counsel for the petitioner has filed the undertaking duly signed by the petitioner stating the following:

(i) That the petitioner again gives his unconditional apology to the respondents.

(ii) The petitioner undertakes and promises not to break any of the rule/order/guidelines of the institute or warden in future.

7. Let the undertaking given by the petitioner be kept on record.



8. Learned counsel for the petitioner agrees to the proposal of the respondents-National Institute of Technology, Patna as stated hereinabove.

9. Having heard learned counsel for the parties and with the consent of both the parties, the impugned order dated 24.11.2022 is set aside with a direction that the petitioner shall abide by his undertaking and can participate in the academic activities from 5th Semester, to be started from July, 2023, and shall also be allowed to stay in the hostel.

10. It is made clear that if the petitioner breaches the undertaking submitted by him, the National Institute of Technology, Patna shall be at liberty to take appropriate action in accordance with law against the petitioner.

11. With the aforesaid observation and direction, this writ application is disposed.

(Anil Kumar Sinha, J)

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