

THE HON'BLE THE CHIEF JUSTICE UJJAL BHUYAN

AND

THE HON'BLE SRI JUSTICE N.TUKARAMJI

W.P.No.39098 of 2022

ORDER: *(Per the Hon'ble the Chief Justice Ujjal Bhuyan)*

Heard Mr. R.S.Sravan Kumar, petitioner-in-person and Mr. Ch.Jagannatha Rao, learned Standing Counsel for Osmania University representing respondents No.2 to 4.

2. While issuing notice on 27.10.2022, this Court had passed the following order:

Petitioner is a practicing lawyer of this Court. He seeks admission into Ph.D course in Osmania University.

Petitioner has cleared National Eligibility Test (NET) as well as State Eligibility Test (SET) in the subject of law. As per Ph.D Rules and Regulations of Osmania University, for earlier years, a candidate qualifying NET/SET would be exempted from appearing in qualifying examination for admission into Ph.D course. However, by virtue of Regulation 2.3 and 2.4 of the Ph.D Rules and Regulations of Osmania University with effect from the year 2022 issued on 23.07.2022, the above exemption has been withdrawn. Consequently, petitioner would have to appear in the eligibility test. The above withdrawal of exemption was not widely notified, as a result of which objections could not be

submitted by the affected candidates. These rules have been given immediate effect for the year 2022-23 i.e., in the midst of the academic session which is most unfair and unjust. At the most, it could have been given effect from the next academic year.

3. Thereafter, respondents No.2 to 4 have filed counter-affidavit.

4. In the course of hearing, it has transpired that in the Ph.D entrance test conducted by Osmania University in the month of September, 2022, on the basis of Regulations 2.3 and 2.4 of the Ph.D Rules and Regulations of Osmania University (with effect from the year 2022), petitioner had participated therein and has qualified for Ph.D admission.

5. That being the position, we are of the view that challenge to the aforesaid Rules and Regulations has now become academic.

6. At this stage, petitioner-in-person seeks leave to withdraw the writ petition.

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7. Writ Petition is accordingly dismissed on withdrawal.

No costs.

As a sequel, miscellaneous petitions, pending if any,
stand closed.

UJJAL BHUYAN, CJ

N.TUKARAMJI, J

Date: 21.02.2023
LUR