

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

RSA-3029-2019

Date of Decision: August 08, 2023

SAURABH KAMBOJ

..... Appellant

Versus

**GLOBAL RESEARCH INSTITUTE OF MANAGEMENT AND
TECHNOLOGY AND ANR**

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Vikram Singh, Advocate for appellant.

HARKESH MANUJA, J. (ORAL)

By way of present appeal, challenge has been laid to the judgments and decrees dated 28.09.2015 and 20.03.2019 passed by the Courts below whereby a suit for mandatory injunction as well as permanent injunction, directing respondent No.1 to issue roll number to the appellant-plaintiff to allow him to sit in the examination of B.Tech Civil (Leet), First Semester 2013-14 was dismissed.

2. Briefly stating, the appellant-plaintiff filed a suit for mandatory injunction as well as permanent injunction by claiming himself to have passed diploma in Civil Engineering from CMJ University, Meghalaya followed by his admission with respondent No.1 in B.Tech Civil (Leet) in June 2013 against deposit of Rs.60,000/- as fee to plead that in the first week of December 2013, the appellant-plaintiff received a letter dated 02.12.2013 issued by respondent No.1 whereby issuance of roll number was declined to him for the forthcoming examination. Aggrieved thereof, the suit was filed.

RSA-3029-2019**-2-**

3. Upon notice, two separate written statements were filed on behalf of respondents. In short, it was pleaded that in view of the letter dated 01.05.2013 received from the Hon'ble Governor of Meghalaya in the office of Principal Secretary to Government of Haryana, it was revealed that the degrees awarded by CMJ University, Meghalaya between 2010-2013 academic sessions were found to be illegal and withdrawn. Based thereupon, the trial Court vide judgment and decree dated 28.09.2014 dismissed the suit filed by appellant-plaintiff. Aggrieved thereof, the First Appeal was filed, however, the same was also dismissed vide judgment and decree dated 20.03.2019.

4. Impugning the aforementioned judgments and decrees, learned counsel for the appellant-plaintiff submits that once admission was granted, the same could not have been cancelled without issuance of any notice or show cause. He also submits that the respondents were estopped by their act and conduct, and thus could not have denied the issuance of roll number.

5. I have heard learned counsel for the appellant and gone through the paper-book. I am unable to find substance in the submissions made by learned counsel for the appellant.

6. In the present case, it has been brought on record vide Ex.D11 and Ex.D12 that all the admissions by CMJ University, Meghalaya for different courses, in the academic sessions 2010-11, 2011-12 and 2012-13 were declared illegal and thus the diploma in Civil branch as obtained by the appellant-plaintiff from said University, in the

year 2013

RSA-3029-2019

-3-

also lost its validity in the absence of any challenge laid to the documents Ex.D-11 and Ex.D-12 regarding which there is no material available on record. Thus, once the diploma in civil engineering as obtained by appellant-plaintiff from CMJ University in June 2013 was declared illegal, his admission in B.Tech Civil (Leet) with respondent No.1 was bound to fall flat and thus there was no question of issuance of any roll number in his favour.

7. Accordingly, finding no illegality or perversity in the judgments passed by the Courts below, the present appeal is dismissed.

08.08.2023
tejwinder

(HARKESH MANUJA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>

