

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

(108)

CWP-28911-2023

Date of decision: - 21.12.2023

Krishan Kumar

....Petitioners

Versus

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Yash Dev Kaushik, Advocate
for the petitioner.

VIKAS BAHL, J. (ORAL)

1. This is a Civil Writ Petition filed under Article 226/227 of the Constitution of India for issuance of a writ in the nature of certiorari for setting aside the suspension order dated 21.08.2023 (Annexure P-2) and expulsion order dated 06.10.2023 (Annexure P-6) passed by respondent No.5.

2. Learned counsel for the petitioner has submitted that as per Section 7(5) of Rules, as applicable to the M.D. University, Rohtak as mentioned in the prospectus for the period 2023-2024, a review would lie to the officer who have issued the orders and an appeal thereafter would lie against the said order of the authorities to the Proctorial Board of the University. The said Section 7(5) as reproduced in para 12 of the present writ petition has been highlighted, which is reproduced herein below: -

“5. Review of Appeal against the Penalty.

A review would lie to the officer issuing the orders within seven days, and an appeal would lie against the orders of the authorities

mentioned in these rules (except the Vice-Chancellor) to the Proctorial Board of the University. The Board may also review its decision on its own.”

3. Learned counsel for the petitioner has submitted that in view of the said provision, he seeks to withdraw the present writ petition with liberty to avail alternative remedy as per the said provision of law.

4. Dismissed as withdrawn, with the aforesaid liberty.

December 21, 2023
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No