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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

BEFORE

HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV

+ **W.P.(C) 1019/2023 and CM NO.4005/2023**

Between: -

SATISH CHANDRA YADAV,
ROOM NO.137 (EXT), BRAHMAPUTRA HOSTEL,
JAWAHARLAL NEHRU UNIVERSITY,
NEW DELHI-110067
CONTACT PERSON: KLDS VINOBER
(M) 954012 2831
EMAIL: vinober@gmail.com

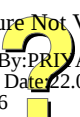
.....PETITIONER

*(Through: Mr. KLDS Vinober and Mr. Surya Pratap Deva,
Advocates.)*

AND

JAWAHARLAL NEHRU UNIVERSITY
THROUGH THE REGISTRAR
NEW DELHI-110067
CONTACT PERSON: MS. MONIKA ARORA
EMAIL: officeadvmonika@gmail.com

.....RESPONDENT NO. 1



UNIVERSITY GRANTS COMMISSION,
THROUGH THE CHAIRMAN,
BAHADUR SHAH ZAFAR MARG, NEW DELHI-110002
CONTACT PERSON: MR. APOORV KURUP
EMAIL: office@akurup.com

.....RESPONDENT NO. 2

(Through: *Ms.Monika Arora and Mr.Yash Tyagi, Advocates
for JNU/R-1.
Mr.Apoorv Kurup and Ms.Swati Bhardwaj,
Advocates for R-2/UGC.*)

% Pronounced on : 15.02.2023

JUDGMENT

1. The petitioner in the instant writ petition under Article 226 of the Constitution of India seeks for the waiver of the lockdown period from 19.03.2020 to 05.02.2022 and he further prays for directions to respondent No.1-Jawaharlal Nehru University (hereinafter referred to as University) to extend the course of M.Phil/Ph.D Integrated Course for further two years from February 2022. In addition, the petitioner is also praying for submission of his thesis beyond the last date i.e., 31.01.2023.

2. This court in writ petition No.17636/2022 has dealt with a similar controversy and has found that the petitioner in that case was not entitled to an almost identical relief. In the present case, the only additional justification shown by the petitioner is that the petitioner has not applied under Clause 9 (b) of the Academic Ordinance. According to him, the petitioner cannot take advantage of Clause 9 (b) of the Academic Ordinance for the reason that unless the petitioner/student completes 80% of his/her work in the draft form and

is in a position to submit his/her thesis within the one year period of clause 9 (b) and further a supervisor is available to facilitate the completion of his/her Ph.D work within the stipulated period of time, no such request under Clause 9(b) is acceptable.

3. Since the applicable Ordinance as has been interpreted in writ petition 17636/2022 stipulates automatic cancelling of registration after a lapse of six years from the date of registration, therefore, the petitioner in the instant case already stands de-registered. If he is not entitled to take advantage under clause 9 (b) of the Academic Ordinance, the same cannot be the reason to indulge into the instant matter or to allow him further opportunity with extended time.

4. The next submission made by learned counsel is with respect to change of supervisor and he states that because of a change of supervisor, he was not able to complete his research work.

5. Needless to state that the change of supervisor has taken place on 22.07.2022 and as to how the same has adversely impacted the petitioner to not even complete 80% of his work is not discernible from the pleadings.

6. As per ground (g) of the petition, it is seen that the petitioner has not even completed 50% of his research work. The respondent No.1-University categorically stated that out of 53 students of his batch, 21 students have been granted extension under Clause 9 (b), whereas, 04 students have already submitted their Ph.D theses and 06 have already opted for de-registration.

7. Since the petitioner is lagging behind in the completion of his research work, there is no justification to accept the prayer made in the instant petition and, therefore, the instant petition deserves to be

dismissed in view of the reasoning given in W.P.(C) 17636/2022 and with additional reasons given in the preceding paragraphs.

8. Accordingly, the present writ petition stands dismissed along with pending application.

(PURUSHAINDRA KUMAR KAURAV)
JUDGE

FEBRUARY 15, 2023

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