IN THE HIGH COURT OF HIMACHAL PRADESH SHIMLA

CWPIL No. 22 of 2022 along with CWP Nos. 623 of 2020, 1026 of 2021, 1026 of 2021, 5413 of 2021, 5517 of 2022, 8494 of 2022, 1407 of 2023, 1408 of 2023, 1437 of 2023, 1805 of 2023, 3001 of 2023, 3002 of 2023, 3003 of 2023, 3009 of 2023, 3071 of 2023, 3072 of 2023, 3072 of 2023, 3073 of 2023, 3074 of 2023, 3075 of 2023, 3076 of 2023, 3217 of 2023, 3409 of 2023, 4124 of 2023, 9083 of 2023, 5264 of 2024, 6900 of 2024, 14955 of 2024, 14962 of 2024.

Date of Decision : 20th December, 2024.

---

1. CWPIL No. 22 of 2022.

Court on its own motion **...Petitioner.**

Versus

State of H.P. & Ors**.** **...Respondents.**

2. CWP No. 623 of 2020.

Ranvir Singh **...Petitioner.**

Versus

Manav Bharti University & Anr. **...Respondents.**

3. CWP No. 1026 of 2021

Deepak Mittal **...Petitioner.**

Versus

Controller of Examination,
Manav Bharti University & Anr. **...Respondents.**

4. CWP No. 1027 of 2021.

Ankit Mamgain **...Petitioner.**

Versus

Controller of Examination,
Manav Bharti University & Anr. **...Respondents.**

5. CWP No.5413 of 2021.

Veeramachaneni Ravindra Babu ...Petitioner.
Versus
Manav Bharti University & Ors. ...Respondents.

6. CWP No. 5517 of 2022.

Kamil Sharma ...Petitioner.
Versus
State of H.P. & Ors. ...Respondents.

7. CWP No. 8494 of 2022.

Aman Anand ...Petitioner.
Versus
State of H.P. & Ors. ...Respondents.

8. CWP No. 1407 of 2023.

Sahil Arora ...Petitioner.
Versus
State of H.P. & Ors. ...Respondents.

9. CWP No. 1408 of 2023.

Babita Chahal ...Petitioner.
Versus
State of H.P. & Ors. ...Respondents.

10. CWP No. 1437 of 2023.

Vinod Kumar & Ors. ...Petitioners.
Versus
State of H.P. & Ors. ...Respondents.

11. CWP No. 1805 of 2023

Brijesh Kumar & Ors. ...Petitioners.
Versus
Manav Bharati University & Ors. ...Respondents.

---

12. CWP No. 3001 of 2023.

Nand Kishor Rana ...**Petitioner.**

Versus

State of H.P. & Ors. ...**Respondents.**

13. CWP No. 3002 of 2023.

Vishal Sharma ...**Petitioner.**

Versus

State of H.P. & Ors. ...**Respondents.**

14. CWP No. 3003 of 2023.

Kavinder Sharma ...**Petitioner.**

Versus

State of H.P. & Ors. ...**Respondents.**

15. CWP No. 3009 of 2023.

Ravi Prakash Sharma ...**Petitioner.**

Versus

State of H.P. & Ors. ...**Respondents.**

16. CWP No. 3071 of 2023.

Kamaljit Singh ...**Petitioner.**

Versus

State of H.P. & Ors. ...**Respondents.**

17. CWP No. 3072 of 2023.

Sunil Kumar ...**Petitioner.**

Versus

State of H.P. & Ors. ...**Respondents.**

18. CWP No. 3073 of 2023.

Praveen Kumar Singh ...**Petitioner.**

Versus

State of H.P. & Ors. **...Respondents.**

19. CWP No. 3074 of 2023.

Sanjay Kumar **...Petitioner.**

Versus

State of H.P. & Ors. **...Respondents.**

20. CWP No. 3075 of 2023.

Dalbir Singh Jamwal **...Petitioner.**

Versus

State of H.P. & Ors. **...Respondents.**

21. CWP No. 3076 of 2023.

Joginder Singh **...Petitioner.**

Versus

State of H.P. & Ors. **...Respondents.**

22. CWP No. 3217 of 2023.

Shivansh **...Petitioner.**

Versus

State of H.P. & Ors. **...Respondents.**

23. CWP No. 3409 of 2023.

Karan Gautam **...Petitioner.**

Versus

State of H.P. & Ors. **...Respondents.**

24. CWP No. 4124 of 2023.

Lipika Raghuwanshi **...Petitioner.**

Versus

State of H.P. & Ors. **...Respondents.**

25. CWP No. 9083 of 2023.

Nitin Bhanot ...Petitioner.

Versus

State of H.P. & Ors. ...Respondents.

26. CWP No. 5264 of 2024.

Bhganu Priya and Anr. ...Petitioners.

Versus

Bar Council of Himachal Pradesh & Ors. ...Respondents.

27. CWP No. 6900 of 2024.

Sachin Sharma ...Petitioner.

Versus

Bar Council of Haryana & Ors. ...Respondents.

28. CWP No. 14955 of 2024.

Mohd. Asad Chaudhary ...Petitioner.

Versus

State of H.P. & Ors. ...Respondents.

29. CWP No. 14962 of 2024.

Hazik Muzaffar ...Petitioner.

Versus

State of H.P. & Ors. ...Respondents.

Coram:

The Hon'ble Mr. Justice Tarlok Singh Chauhan, Acting Chief Justice.
The Hon'ble Mr. Justice Satyen Vaidya, Judge.

Whether approved for reporting? No.

For the Petitioner(s): *Mr. Jyotirmay Bhatt, Advocate, as Amicus Curiae.*
Mr. Sanjay Gandhi, Advocate, Ms. Neha Rana, Advocate, Mr. Sankalp Thakur, Advocate, Ms. Kamini,

Advocate, Mr. Sanjay Kumar Sharma, Advocate, Ms. Pratibha Thakur, Advocate for the respective petitioner(s).

Mr. Vikram Thakur, Advocate, Mr. Shriyek Sharda, Advocate, Ms. Sheetal Vyas, Advocate, Ms. Abhilasha Kaundal, Advocate, Mr. Ishan Sharma, Advocate, Mr. Rishi Tandon, Advocate, Mr. Bhup Singh Thakur, Advocate, Ms. Reena Sharma, Advocate, Ms. Heena Chauhan, Advocate, Mr. Avinash Jaryal, Advocate, Mr. Anul Gupta, Advocate, Mr. Rohit Sharma, Advocate, Mr. Mukul Sood, Advocate, Mr. Pawan Sharma, Advocate, Ms. Tim Saran, Advocate, Mr. Rajiv Rai, Advocate, Mr. Neel Kamal Sharma, Advocate and Ms. Shailja Kumari, Advocate, for the respective petitioners.

For the Respondents: *Mr. Anup Rattan, Advocate General with Mr. Rakesh Dhaulta and Mr. Pranay Partap Singh, Additional Advocates General for the respondents-State.*

Mr. Sanjay Kumar Sharma, Advocate, Ms. Kanta Devi, Advocate, Ms. Ekta Kumari, Advocate, Mr. Sanklap Thakur, Advocate, Mr. Digvijay Singh Thakur, Advocate, Ms. Deepmala Sharma, Advocate, Ms. Kamini, Advocate, Mr. Saurabh Ahluwalia, Advocate, Mr. Abhinav Purohit, Advocate, Mr. Sanjay Gandhi, Ms. Neha Rana, Advocate, Mr. Prem Chand Verma, Advocate, Mr. Varun Thakur, Advocate, Mr. Aakash Thakur, Advocate, Mr. Svaneel Jaswal, Advocate, Mr. Kunal Thakur, Advocate, Mr. Jeewan Kumar, Advocate, for the respective respondents in CWPIL No. 22 of 2022.

Mr. Ntin Thakur, Advocate, Ms. Kanta Devi, Advocate, Mr. Prashant Sharma, Advocate, Mr. Naresh Kaul, Advocate, Mr. V.B. Verma, Advocate, Mr. Vishwajeet Singh, Advocate, Mr.Vinod Chauhan, Advocate, Mr. Shubham Sood, Advocate and Ms. Muskan Nagpal, Advocate for the respective respondents in respective petitions.

Tarlok Singh Chauhan, Acting Chief Justice.

CMP Nos. 22390, 22391, 22392, 22393, 22394, 22395, 22,396, 22397, 22398, 22399, 22401, 22402, 22403, 22404, 22405, 22407, 22408, 23334, 23335, 23481, 23520, 23521, 24873, 24874, 24875, 24876, 24877, 24878 of 2024 in CWPIL No. 22 of 2022.

Heard. For the reasons stated therein, all the applications are allowed and the applicants are ordered to be impleaded as parties in CWPIL No.22 of 2022. Applications stand disposed of.

CWPIL No. 22 of 2022 along with CWP Nos. 623 of 2020, 1026 of 2021, 1026 of 2021, 5413 of 2021, 5517 of 2022, 8494 of 2022, 1407 of 2023, 1408 of 2023, 1437 of 2023, 1805 of 2023, 3001 of 2023, 3002 of 2023, 3003 of 2023, 3009 of 2023, 3071 of 2023, 3072 of 2023, 3072 of 2023, 3073 of 2023, 3074 of 2023, 3075 of 2023, 3076 of 2023, 3217 of 2023, 3409 of 2023, 4124 of 2023, 9083 of 2023, 5264 of 2024, 6900 of 2024, 14955 of 2024, 14962 of 2024.

2. Heard.

3. The instant CWPIL No. 22 of 2022 pertains to the grievances of the students who had jointly addressed a letter dated 05.04.2022 to the Hon'ble Chief Justice of this Court. It was the

grievance of the petitioners, who are students from different departments/streams of Manav Bharti University, Solan and they have passed out in the years 2019, 2020, 2021 and have not got their provisional and other academic related documents because the university has been probed under fake degree scam and the matter is pending adjudication before the competent Court. It was submitted that when they requested the university for their documents then they were apprised by the university that all the records and green sheet are with the SIT team and consequently, the university refused to give them their documents. Lastly, it was submitted that these students have been waiting from the last two years for their provisional and other academic documents and due to the non availability of the documents their future hinges upon uncertainties and many such students have gone under depression.

4. After filing of the said CWPIL, various other petitions came to be filed for some what similar relief.

5. On 01.08.2022, the Court passed the following order:-

> *"On the request of learned Additional Advocate General, we defer the matter.*
>
> *In the meantime, the respondents-State shall consider constituting a Committee for the purpose of verification and*

release of the photocopies of the relevant documents viz. degrees/mark-sheets/migration certificates to be supplied to the Manav Bharti University in view of hardships being faced by the students, in terms of the letter dated 11.03.2022 of the Additional Director General of Police (Annexure R-3).

List the petition alongwith CWP No. 5041/2020, CWP Nos. 1026, 1027, 3413 of 2021 & CWP No. 3542/ 2022 on 16.08.2022."

6. It was pursuant to the said order that a Committee was constituted for the purpose of verification and release of the photocopies of the documents i.e. degrees/mark-sheets/migration certificates etc., which were in the custody of SIT to be supplied to the Manav Bharti University, Solan, as has been duly noted in order dated 22.08.2022. The meetings of the said Committee were thereafter held on fortnight basis and proceedings thereof were monitored from time to time by this Court.

7. When the issue came up before this Court on 27.10.2022, the State placed on record copy of instructions dated 27th September, 2022, which have been reproduced in the order passed on the said date which reads as under:-

"2. Learned Deputy Advocate General has placed on record copy of the instructions dated 27th September, 2022, wherein it is, inter alia, stated as follows:-

"After detailed discussion on each and every aspect parameter and criteria were set for supplying the

photocopies of relevant record to the genuine student of MBU which are as follows:

1. Where the student is enrolled and his data sent to the HP-PEIRC Shimla for the session for which he was enrolled.

2. Where the courses are approved by the HP-PEIRC Shimla for MBU and the registration of the students were found for the same.

3. Where the record of the students were found as per the allotted seats by the HP-PEIRC Shimla to the MBU.

4. Where the record of the student reflected in Green register, Admission Disclosure sent to HP-PEIRC Shimla and record of HP-PEIRC Shimla shall also be considered.

5. Where the record of the examination reflects the entry of student alongwith above parameters, it shall also be considered.

6. Where there is a dispute about the admission and registration year of the student, such student could not be considered and his documents shall not be supplied being disputed.

xxx xxx xxx xxx

The committee has handed over the above records to the Manav Bharti University through its Administrator for further necessary action except the record of the year 2016-2017 as it is still under scrutiny, which would be supplied as soon as possible. It was discussed that for the complete verification of the genuineness of the students, examination records of the students are also required. Therefore, request letter no. R/SP/SLN/23993 dated 19.09.2022 was sent to the ADGP CID to provide the complete records which

are still awaited (copy enclosed as Annexure R/2). It was also decided in the meeting that Mark Sheet /DMCs of the 98 students of D Pharmacy and 62 students of D. El. Ed. would be supplied to the verified students of 2019 batch as soon as possible.

That till now the record of the 1775 students has been supplied to the MBU through its Administrator after verification for the release of photocopies of the relevant records to the students. Moreover, it is pertinent to mention here that MBU have issued DMCs/ Mark Sheets to 10 students of D. Pharmacy and D.El. Ed. Courses of year 2019-2020.

The information of the same was supplied by the MBU through its Dy. Registrar to the undersigned vide its letter reference no. MBU/2022/PP/622 dated 26.09.2022."

3. Thus, from the instructions, it appears that the process for release of the documents/mark sheets to the students has been started.

4. Learned Deputy Advocate General states that he would take instructions as regard to request letter dated 19th September, 2022, sent to ADGP, State CID to provide complete records.

5. Let further status report with respect to the release of documents/mark sheets to the students be filed by the next date. Learned Deputy Advocate General will also take instructions on the approximate time-lines within which the investigation would be completed by the SIT.

Stand over for four weeks"

8. Subsequently, this Court was apprised of the fact that instructions have already been issued by the Government to the concerned authority to verify all 7,747 degrees issued by the Manav

Bharti University.

9. When the matter came up before this Court on 09.10.2023, the Court was apprised of the fact that the challans have been filed by the State against the University and its employees before the competent Criminal Court. It was on 28.11.2024 that this Court permitted the petitioners to visit Manav Bharti University on 30.11.2024 at 10.00 A.M. and the University in turn was directed to provide access to the Green Register and Disclosure List to the petitioners so as to enable them to verify that they were actually enrolled with the University.

10. Pursuant to the directions passed by this Court, all the petitioners were provided access to the records and were also permitted to have access to the Green Register and Disclosure List. Based on such inspection, the University has placed on record status of each of the petitioners/students in tabulated form. However, given the fact that this statement is disputed by the majority of petitioners/students, this Court in its jurisdiction is not in a position to determine such disputed questions.

11. Therefore, in the peculiar facts and circumstances of the case, we leave it open to the petitioner/students to approach the competent court of jurisdiction for redressal of their grievance. As

regards, those petitioners against whom the University does not have any grievance, we direct that their respective documents including degrees and other academic documents may be handedover to them. However, the same shall be done under intimation accompanied by the photo copies of such documents to the Investigating Agency.

12. Accordingly, the CWPIL along with other petitions stand disposed of. Pending applications, if any, also stand disposed of.

(Tarlok Singh Chauhan)
Acting Chief Justice.

(Satyen Vaidya)
Judge

20th December, 2024.
(jai)