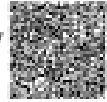


**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

109

2025.PHHC:014587



**CR-1522-2022 (O&M)
Date of decision: 31.01.2025**

KURUKSHETRA UNIVERSITY, KURUKSHETRA AND ORS

..Petitioners

Versus

NAVIKA

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Amarjit Singh Virk, Advocate
for the petitioner.

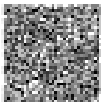
ANIL KSHETARPAL, J(Oral)

1. As per the office report, respondent despite receipt of notice has not entered appearance.

2. The respondent herein has filed a suit for declaration with consequential relief of mandatory injunction to declare degree of Master in Finance and Control (in short 'M. FC.) is equivalent to the decree of Masters in Commerce (in short M. Com.). In para 3 of the plaint, it is stated certain teachers represented to her that M.FC. is equivalent to M.Com. On an application filed by the plaintiff, the aforesaid teachers except Chairman, Department of Commerce have been summoned by the Court. This revision petition has been filed by the University to challenge its correctness.

3. Learned counsel for the petitioner submits that equivalence of academic qualification is not dependent upon oral testimonies of teachers. The equivalence of qualification is required to be determined by the competent authority namely either University Grants Commissioner (UGC) or academic counsel of the University, however, the Court without

considering these aspects the Court has summoned the witnesses.



4. This Court has considered the submissions of learned counsel representing the petitioner.
5. Before summoning the witness, the Court is required to examine relevance and the purpose for which the witness is sought to be summoned.
6. In this case, the Court has summoned witnesses only on the ground that they have been specifically named in the plaint.
7. In the opinion of this Court, the Court should first of all examine the requirement of their oral testimony and its relevance for the decision of the case before summoning the witnesses.
8. Hence, the impugned order is set aside. Learned trial Court is requested to decide the application afresh.
9. With these observations, the present petition stands disposed of.
10. All the pending miscellaneous applications, if any, are also disposed of.

January 31st, 2025

Ay

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No