

CM-2186-CWP-2025 in/and
CWP-25777-2023 (O&M)

2025:PHHC:019673



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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(108+293)

CM-2186-CWP-2025 in/and
CWP-25777-2023 (O&M)
Date of Decision : 11.02.2025

Pradeep Kumar

...Petitioner

Versus

Maharishi Dayanand University and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Ravinder Singh Dhull, Advocate with
Mr. Navnit Sharma, Advocate and
Mr. Sandeep Malik, Advocate for the petitioner.

Mr. Anurag Goyal, Advocate with
Mr. Amit Rao, Advocate for the respondents.

Harsimran Singh Sethi J. (Oral)

CM-2186-CWP-2025

Present application has been filed for placing on record the documents containing information of candidates as Annexures A-1 to A-5.

Application is allowed and documents containing information of candidates as Annexures A-1 to A-5 are taken on record with all just exceptions.

CWP-25777-2023 (O&M)

1. In the present petition, the grievance being raised by the petitioner is that petitioner is not being awarded the Doctorate Degree, even though the petitioner was given a no objection and good conduct certificate at the time of submission of thesis concerning the Doctorate Degree, which is arbitrary and blatantly illegal and rather an excruciating condition has



been imposed upon the petitioner to refund back the Scholarship amount, which the petitioner received while undergoing the Doctorate Program.

2. Learned counsel for the petitioner submits that the reason for denying the petitioner of his Doctorate Degree is that the petitioner enrolled in the Music Department for Diploma in 'Tabla' while pursuing his Doctorate for which Diploma full time study is not to be undertaken and the same was only at the available time with the candidate and, therefore, merely that the petitioner has undergone a diploma in 'Tabla' in the Department of Music simultaneously with pursuing his Degree of Doctorate, is no ground to deny the petitioner either the benefit of Doctorate Degree or to claim the refund of the Scholarship paid to the petitioner.

3. Learned counsel for the respondents submits that the Scholarship which has been paid to the petitioner, needs to be refunded as the petitioner could not have undergone the Diploma in 'Tabla' simultaneously and as per the Rules and Regulations, the candidate could have enrolled only in the evening Classes.

4. Learned counsel for the petitioner submits that the petitioner has not violated any rules and regulations as for Diploma in 'Tabla', the petitioner had enrolled in the evening Classes only hence, the claim of the petitioner is covered and substantiated by the University Regulations, as has been reproduced by the respondents themselves in the reply filed by them.

5. I have heard learned counsel for the parties and have gone through the record with their able assistance.



6. As per the petitioner, which fact has not been denied rather put forth by the respondents, any candidate who is undergoing the Doctorate Program, can enroll himself/herself in a part time/evening Classes along with the Ph.D. The same is envisaged in Clause 10(i) and (ii) of the Ordinate for Registration and Award of the Directorate of Philosophy.

7. Apart from this, the petitioner has cited the cases where the candidates have been allowed the benefit of the Doctorate Degree, who had enrolled themselves in the Diploma Course.

8. In the present case, the petitioner had undergone the Diploma in 'Tabla' in the Department of Music as a part time and that too in the evening Courses, hence, the respondents should have considered the claim of the petitioner covered under Clause 10(ii) of the Ordinate for Registration and Award of the Directorate of Philosophy.

9. Once, the petitioner had undergone the Diploma in 'Tabla' in the evening Classes and on part time basis, which did not interfere with the study of the petitioner for the Doctorate in Laws, the University should have been considerate enough to consider all the facts in the correct prospective so as to award the said Doctorate Degree rather than taking the technical objection to deny the same.

10. Keeping in view the above, the present petition is allowed. The respondents are directed to award the petitioner with the Doctorate Degree in the Doctorate Program in Laws, which the petitioner has already completed, without insisting to refund the Scholarship amount. Let the order be



complied with within a period of eight weeks from the date of receipt of copy of this order.

- 11. Petition is allowed in above terms.
- 12. Pending miscellaneous application, if any, also stands disposed of.

February 11, 2025 (HARSIMRAN SINGH SETHI)
kanchan JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No