HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 15698 of 2026

Committee Of Management Pt Srikrishna Upadhyay Mahila Mahavidyalaya And Another

.....Petitioner(s)

Versus

State Of U.P. And 4 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Grijesh Tiwari
Counsel for Respondent(s)	:	C.S.C., Chandan Sharma

Court No. - 36

HON'BLE SAURABH SHYAM SHAMSHERY, J.

1. Heard Sri Grijesh Tiwari, learned counsel for the petitioner and Ms. Riya Shukla, Advocate holding brief of Sri Chandan Sharma, learned counsel for the respondents.

2. Students of petitioner's College have approached this Court by way of filing a Writ Petition No.5589 of 2026, which was disposed of by following order dated 25.2.2026:

> "*1. Heard Sri Anup Dhar Dubey, learned counsel for the petitioners, Sri Ankush Tandon, Chandan Sharma and Sri Ripusudan Dubey on behalf of respondent no.5.*
>
> *2. This Court has passed following order on 19.2.2026:*
>
> *"1. On 11.2.2026, this Court while granting time to Sri Ankush Tandon, learned counsel who appears for the respondent-University, has categorically recorded as under:-*
> *"3. Sri Ankush Tandon, who appears for the respondent-University prays for and is granted a week's time to seek written instructions in the matter, including as to what resolution plan can be framed for the petitioners in order to secure their future"*
> *2. Today, Sri Ankush Tandon has furnished written instructions in the matter under the signatures of four persons, although he is unable to point out who is the responsible person amongst them and their names. He is also unable to point out the resolution plan as was directed by this Court in the last order. He prays for and is granted three days time to seek further instructions in the matter regarding clarity on the resolution plan, as well as the*

responsible officer who has signed the said written instructions, failing which, the Registrar of the University shall be personally present on the next date to assist the court proceedings.

3. On his request, list the case as fresh again on 25.2.2026, amongst the top ten cases."

3.Learned counsel for the respondent no.5 has received instructions that institution concerned will deposit requisite examination fee as well as some cost for fresh examination and thereafter examination can be conducted.

4. At this stage, Court is not entering into other aspects of case and for the purpose of present case, this writ petition is disposed of with a direction that institution concerned will deposit Examination Fee as well as additional fee of Rs.1000/- per student, within a period of 3 weeks, thereafter a special examination will be conducted by the respondents within a period of one month. It is made clear that institution concerned will not recover any further fee from students for fresh examination. "

3. In pursuance of above order, students of petitioner's College have participated in the examination, therefore, grievance of students is being addressed.

4. Now petitioner is before this Court mainly against the order dated 24.2.2026, which was passed before the aforesaid order was passed, whereby not only Rs.5 lakhs was imposed, but the petitioner's College was debarred for 5 years.

5. Admittedly, aforesaid order was not placed by the students of petitioner's College.

6. Learned counsel for the petitioner submitted that Rs.5 lakhs has already been deposited since the students were allowed only after deposit of said amount.

7. Learned counsel for the petitioner submitted that no opportunity of hearing was granted before the aforesaid order was passed. However, consequence of the order passed by this Court as referred above would be that order dated order dated 24.2.2026, has to be passed afresh taking note of the direction passed earlier by this Court.

8. Learned counsel for the respondents has supported the impugned order that penalty was imposed and the students of petitioner's College were

debarred for five years. However, the consequence of above referred order is not being disputed.

9. In the aforesaid circumstances, Court is of view that impugned order dated 24.2.2026 has to be considered in light of above referred order passed by this Court.

10. Court has already allowed the students to participate in the examination, therefore, default on behalf of petitioner's College is being condoned, therefore, there is no question that students of petitioner's College be debarred after default is condoned. Accordingly, the order dated 24.2.2026, whereby students of petitioner's College were debarred for five years is hereby set-aside.

11. So far as question of penalty of Rs.5 Lakhs is concerned, it will be settled as and when the students of petitioner's College are required to deposit the fee before upcoming examination.

12. On basis of aforesaid discussion and conclusion, consequential order dated 13.3.2026 is modified to the extent so far as penalty of Rs.5 lakhs is concerned.

13. Writ Petition is accordingly disposed of.

October 27, 2026
SB

(Saurabh Shyam Shamshery,J.)

Digitally signed by :-
SANDEEP BHATTACHARYA
High Court of Judicature at Allahabad