

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR**

**CCP(S) 368/2022 in [WP(C) 1752/2022] CM(4553/2022)
c/w WP (C) 1752/2022**

Safiullah Shah

... Petitioner/Appellant(s)

Through: Mr. Zahoor A. Shah, Advocate

V/s

Nissar Ahmad Mir and others

... Respondent(s)

Through: Mr. Syed Faisal Qadiri, Sr. Advocate

CORAM: HON'BLE MR. JUSTICE JAVED IQBAL WANI, JUDGE

**ORDER
20-12-2023**

Appearing counsel for the petitioner states that the petitioner has successfully completed the LLB course conducted by the respondent university though through the intervention of this court after the respondent 1 alleged misconduct against the petitioner and in the process did not permit him to pursue his course or to appear in the examination of 10th semester.

Mr. Qadiri, senior counsel appearing for the respondents admits of the position that the petitioner has completed his LLB course successfully having passed the 10th semester examination, the subject matter of the instant petition, and consequently the petitioner has been provided the marks certificates of all the semesters passed by him except the degree certificate.

Learned counsel for the petitioner would submit that in view of fact that the petitioner has completed the course successfully and as such the equity is in his favour, requiring that the respondents be commanded to issue the degree certificate in favour of the petitioner. The counsel for the respondents in principle does not oppose the submissions made by the counsel for the petitioner.

Having regard to the facts and circumstances of the case coupled with the submissions made by appearing counsel for the parties, the instant petition is disposed of at this stage with the consent of the appearing counsel for the parties with a direction to the respondents to issue degree certificate in favour of the petitioner subject to fulfillment of necessary requisite formalities, if any, by the petitioner.

It is made clear that the aforesaid direction passed in the instant petition shall not form precedent for any other case.

At this stage the counsel for the respondents states that the degree certificate of the petitioner is available with him and the same is provided to the counsel for the petitioner in open court.

Disposed of.

CCP (S) 368/2022:

In view of the disposal of the petition in the aforesaid terms, the counsel for the petitioner states to have no instructions to pursue the contempt petition. Under these circumstances contempt notice issued is recalled and contempt proceedings are dropped.

Disposed of.

(JAVED IQBAL WANI)
JUDGE

Srinagar
20-12-2023
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