

High Court of Sikkim

Record of proceedings

WP(C) No.60 of 2016

Sikkim Students Welfare Association of Chandigarh and Others **Petitioners**

VERSUS

State of Sikkim & Others

Respondents

Date : 11-11-2020

CORAM : THE HON'BLE MRS. JUSTICE MEENAKSHI MADAN RAI, JUDGE.

For Petitioners Mr. Gulshan Lama, Advocate.

For Respondents

R-1, R-2 & R-6 Mr. S. K. Chettri, Government Advocate.

R-3 & R-9 Mr. Karma Thinlay, Central Government Advocate.

R-4 Mr. A. K. Upadhyaya, Senior Advocate.
Mr. D. K. Siwakoti, Advocate.
Mr. Sonam Rinchen Lepcha, Advocate.

R-5 Ms. Laden Bhutia, Advocate on behalf of
Mr. Manish Kr. Jain, Advocate.

R-7 Mr. Leonard Gurung, Advocate.

R-8 Mr. Karma Thinlay, Senior Advocate.
Mr. Thinlay Dorjee Bhutia, Advocate.

ORDER

In compliance to the Order of this Court dated 09-11-2020, Learned Counsel for the Petitioners submits that 13 (thirteen) students, mentioned in the Order *supra*, were admitted to the Course of Bachelors in Mobile Computing and Internet [BMCI] after 05-07-2012. Out of these 13 (thirteen) students, 8 (eight) students completed their Course in April, 2015, and 5 (five) students completed their Course in November, 2015. The Degree of BMCI was denotified on 05-07-2014 and given a revised nomenclature of B.Sc. (Mobile Computing and Internet) [B.Sc. (MCI)], having been given recognition by the Respondent No.8-University Grants Commission (UGC).

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In view of the above circumstances, as prayed for by Learned Counsel for the Petitioners, the Respondent No.4-University shall issue Degrees to these 8 (eight) students in BMCI .

5 (five) students who completed their Course in November, 2015, will be given Degrees in B.Sc. (MCI) in view of the denotification of the Course of BMCI in July, 2014.

For the remaining 16 (sixteen) students, it is submitted by Learned Counsel for the Petitioners that 13 (thirteen) students were admitted after 05-07-2012 to the Course of M.Sc. in Airline Tourism and Hospitality Management [M.Sc (ATHM)] and completed their Course in April, 2014. It may be noticed that M.Sc (ATHM)] was denotified by the UGC only on 05-07-2014, consequently as prayed for by the Petitioners these 13 (thirteen) students are to be awarded Degrees in M.Sc (ATHM)].

For the remaining 3 (three) students out of the 16 (sixteen), it is submitted that they were admitted after 05-07-2013 to the M.Sc. (ATHM)] Course and passed out in April, 2015 by which time M.Sc. (ATHM)] was denotified by the UGC, i.e., on 05-07-2014 and given a revised nomenclature of Master of Tourism and Travel Management (MTTM). In this circumstance, it is prayed that the Respondent No.4 issue the Degree of MTTM to them.

Considered, in view of the circumstances, ordered accordingly.

Respondent No.4 is directed to take steps and comply with the Order *supra* before the next date fixed.

To clarify the matter, it is relevant to state here that initially there were 224 (two hundred and twenty four) Petitioners. Out of these Petitioners, the matter pertaining to 183 (one hundred and eighty-three) Petitioners have been addressed in view of the Order of this Court dated 09-11-2020 and today.

From the remaining 41 (forty-one) students out of the 224 (two hundred and twenty-four) students, Learned Counsel for the Petitioners submits that the names of 18 (eighteen) students were

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incorrectly recorded in the Degrees awarded to them and require rectification.

Let the Petitioners furnish the correct list of names and other details required for the Degree/Certificate to the Respondent No.4 who shall also take steps accordingly for rectifying the Degrees of these 18 (eighteen) students, before the next date fixed.

For the remaining 23 (twenty-three) students out of the 41 (forty-one) students, Learned Counsel for the Petitioners submits that admittedly these students have not completed their Courses and have no grievance. An Affidavit in this regard may be filed by the said Petitioners.

With regard to the clarification sought from the Respondent No.8 pertaining to the Degrees of BHMTT (Bachelor of Hotel Management, Travel and Tourism) as reflected in the Order of this Court dated 09-11-2020, Learned Senior Counsel for the Respondent No.8 submits that steps are being taken in this regard and report will be filed before the next date.

List on 03-12-2020 as found convenient by the parties.

Judge
11-11-2020