

ITEM NO.1+28 Court 6 (Video Conferencing)

SECTION XI

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Item No.1:

Petition(s) for Special Leave to Appeal (C) No(s). 8148/2020

(Arising out of impugned final judgment and order dated 10-06-2020 in SA No. 563/2019 passed by the High Court Of Judicature At Allahabad, Lucknow Bench)

SAHIR SOHAIL & ORS.

Petitioner(s)

VERSUS

DR. A.P.J. ABDUL KALAM TECHNICAL UNIVERSITY & ORS. Respondent(s)

(IA No. 81099/2020 - GRANT OF INTERIM RELIEF)

With

Item No.28:

Petition(s) for Special Leave to Appeal (C) No(s). 10546/2020

(FOR ADMISSION and I.R. and IA No.87536/2020-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 07-09-2020 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE ANIRUDDHA BOSE
HON'BLE MR. JUSTICE KRISHNA MURARI

For Petitioner(s) Mr. Gopal Sankarnarayanan, Sr. Adv.
Mr. Ruchir Ranjan Rai, Adv.
Mr. Anilesh Tewari, Adv.
Mr. Desh Deepak, Adv.
Mr. Mahesh Kumar, Adv.
Mr. Suushant Yadav, Adv.
Ms. Devika Khanna, Adv.
Mrs. V. D. Khanna, Adv.
For M/s. Vmz Chambers, AOR

Mr. Jitender Mohan Sharma, Sr. Adv.
Mr. Ajit Sharma, AOR

For Respondent(s) Mr. Amitesh Kumar, Adv.
Ms. Binisa Mohanty, Adv.
Ms. Priti Kumari, Adv.
Mr. Mritunjay Kumar Sinha, AOR

UPON hearing the counsel the Court made the following
O R D E R

SLP(Civil)10546/2020

Learned senior counsel for the petitioner seeks to withdraw the present petition.

The special leave petition is accordingly dismissed as withdrawn.

SLP(Civil)No.8148/2020

We have heard learned counsel for the parties at some length as it is an issue of the career of the students. However, we find not only from the facts of the present case, but also what emerged in the connected matter i.e. SLP(Civil)No.10546/2020 that the Jharkhand State open exam process itself appears to be a complete fraud. We must also fault the University to some extent which did not carry out an appropriate verification as also the State Government which should have kept a watch for such fraudulent exam systems which operate out of one room! We would call upon the University and the State Government to take immediate corrective action and also bring the defaulters to book.

We do have sympathy but this is not a case where we can really translate our sympathy to a relief in the present case, more so, in view of the fact that since this exam system is found to be fraudulent, the petitioners before us will never have a recognized plus two status and to give such students the opportunity to get a degree from the University will create a great anomaly.

We, thus, reluctantly dismiss the Special Leave Petition.

At this stage, learned senior counsel for the petitioner points out that the continuation on the website of the recognition of the Board is not only creating a problem in Jharkhand but also in other Universities and hence immediate steps should be taken in this behalf. We direct all concerned to do the needful within three days from today.

Pending application shall also stand disposed of.

(ASHA SUNDRIYAL)
AR-CUM-PS

(ANITA RANI AHUJA)
ASSISTANT REGISTRAR