



**HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR**

D.B. Special Appeal Writ No. 501/2024
CNR: RJHC010295312024 | URN: SAW / 775U / 2024

Janardan Rai Nagar Rajasthan, Vidyapeeth (Deemed) University,
Through Its Director, Directorate Of Distance Education, Udaipur
Rajasthan.

-----Appellant

Versus

1. Union Of India, Ministry Of Human Resource Development, Through Its Secretary, New Delhi
2. University Grants Commission, Through Its Secretary, New Delhi
3. Director, Distance Education Council, Ignou, New Delhi
4. All India Council For Technical Education, New Delhi 110002
5. Director, Distance Education Council, Cum Secretary Ugc-Aicte-Dec Joint Committee For Technical And General Education In Distance Mode, Through Its Secretary (Director, Distance Education Council), Indira Gandhi National Open University, New Delhi.
6. The State Of Rajasthan, Through Its Secretary, Department Of Higher Education, Secretariat, Jaipur

-----Respondents

Connected With

D.B. Special Appeal Writ No. 439/2024
CNR: RJHC010262802024 | URN: SAW / 696U / 2024

Institute Of Advanced Studies In Education (Iase), (Deemed University), Gandhi Vidya Mandir, Sardarshahar, Churu (Rajasthan) Through Its Registrar Shri Dharam Singh Gehlot, Aged About 62 Years.

-----Appellant

Versus

1. Respondent, None
2. University Grants Commission (Ugc), Bahadur Shah Zafar Marg, New Delhi - 110001.
3. Director, Distrance Education Council (Dec) Indira Gandhi National Open University, Maidan Garhi, New Delhi -



[SAW-501/2024]

110068.

4. All India Council For Technical Education (Aicte), Indira Gandhi Indoor Stadium, Indraprastha Estate, New Delhi - 110002.
5. Director, Distance Education Council (Dec) Cum Secretary, Ugc-Aicte-Dec Joint Committee For Technical And General Education In Distance Mode, Indira Gandhi National Open University, Maidan Garhi, New Delhi - 110068.
6. The State Of Rajasthan, Through The Secretary, Department Of Higher Education, Secretariat, Jaipur.
7. Harekrishna Verma S/o Shri Yadunandan Verma, Presently Working On The Post Of Sdo Grade-1, Defence Estates Officer, Bathinda, Punjab.

-----Respondents

D.B. Special Appeal Writ No. 490/2024

CNR: RJHC010288612024 | URN: SAW / 762U / 2024

Janardan Rai Nagar Rajasthan, Vidyapeeth (Deemed) University, Through Its Director, Directorate Of Distance Education, Udaipur Rajasthan.

-----Appellant

Versus

1. Union Of India, Ministry Of Human Resource Development, Through Its Secretary, New Delhi
2. University Grants Commission, Through Its Secretary, New Delhi.
3. Distrance Education Bureau, University Grants Commission (Formerly Distance Education Council) Through Its Director, New Delhi.

-----Respondents

D.B. Special Appeal Writ No. 494/2024

CNR: RJHC010295072024 | URN: SAW / 768U / 2024

Janardan Rai Nagar Rajasthan, Vidyapeeth (Deemed) University, Through Its Director, Directorate Of Distance Education, Udaipur Rajasthan

-----Appellant

Versus

1. Union Of India, Ministry Of Human Resource



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Development, Through Its Secretary, New Delhi

2. University Grants Commission, Through Its Secretary, New Delhi
3. Distance Education Bureau, University Grants Commission (Formerly Distance Education Council) Through Its Director, New Delhi.

-----Respondents

D.B. Special Appeal Writ No. 500/2024

CNR: RJHC010295522024 | URN: SAW / 774U / 2024

Janardan Rai Nagar Rajasthan, Vidyapeeth (Deemed) University, Through Its Director, Directorate Of Distance Education, Udaipur Rajasthan

-----Appellant

Versus

1. Distance Education Bureau, University Grants Commission (Formerly Distance Education Council) Through Its Deputy Director, Dec Building Indira Gandhi National Open University, New Delhi 110002
2. University Grants Commission, Through Its Secretary, New Delhi 110002

-----Respondents

D.B. Special Appeal Writ No. 524/2024

CNR: RJHC010289222024 | URN: SAW / 819U / 2024

Institute Of Advanced Studies In Education (Iase), (Iase), (Deemed University), Gandhi Vidya Mandir, Sardarshahar, Churu (Rajasthan) Through Its Registrar Shri Dharam Singh Gehlot, Aged About 62 Years.

-----Appellant

Versus

1. Union Of India, Through The Secretary, Ministry Of Human Resources Development, Shastri Bhawan, New Delhi
2. University Grants Commission, Bahadur Shah Zafar Marg, New Delhi 110001

-----Respondents

D.B. Special Appeal Writ No. 546/2024

CNR: RJHC010340682024 | URN: SAW / 855U / 2024



Institute Of Advanced Studies In Education (Iase), (Deemed University), Gandh Vidya Mandir, Sardarshahar, Churu (Rajasthan) Through Its Registrar Shri Dharam Singh Gehlot, Aged About 62 Years.

----Appellant

Versus

1. The Union Of India, Through The Secretary, Ministry Of Human Resources Development, Shastri Bhawan, New Delhi.
2. University Grants Commission (Ugc), Bahadur Shah Zafar Marg, New Delhi-110001-Through Its Secretary.
3. The Distance Education Bureau (Deb), University Grants Commission (Ugc), Through Its Secretary, 35, Firoz Road, New Delhi- 110 001.

----Respondents

D.B. Special Appeal Writ No. 548/2024

CNR: RJHC010334752024 | URN: SAW / 862U / 2024

Institute Of Advanced Studies In Education (Iase), (Deemed University), Gandhi Vidya Mandir, Sardarshahar, Churu (Rajasthan) Through Its Registrar Shri Dharam Singh Gehlot, Aged About 62 Years.

----Appellant

Versus

1. The Union Of India, Through The Secretary, Ministry Of Human Resources Development, Shastri Bhawan, New Delhi.
2. University Grants Commission, Bahadur Shah Zafar Marg, New Delhi.
3. All India Council For Technical Education, Indira Gandhi Sports Complex, Ip Estate, New Delhi.
4. The Distance Education Council, Indira Gandhi National Open University Campus, Maidan Garhi, New Delhi.

----Respondents

D.B. Special Appeal Writ No. 554/2024

CNR: RJHC010348522024 | URN: SAW / 873U / 2024

Institute Of Advanced Studies In Education (Iase), (Deemed University), Gandhi Vidya Mandir, Sardarshahar, Churu





(Rajasthan) Through Its Registrar Shri Dharam Singh Gehlot,
Aged About 62 Years

----Appellant

Versus

1. The Union Of India, Through The Secretary, Ministry Of Human Resources Development, Shastri Bhawan, New Delhi
2. The Director (Icr), Ministry Of Human Resources Development (Department Of Higher Education), Government Of India, Shastri Bhawan, New Delhi.
3. The University Grants Commission, Bahadur Shah Zafar Marg, New Delhi 110001
4. The Distance Education Council, Indira Gandhi National Open University, Maidan Garhi, New Delhi 110068.
5. The All India Council For Technical Education, Indira Gandhi Sports Complex, Ip Estate, New Delhi.
6. The State Of Rajasthan, Through The Secretary, Department Of Higher Education, Secretariat, Jaipur.

----Respondents

D.B. Special Appeal Writ No. 602/2024

CNR: RJHC010289232024 | URN: SAW / 958U / 2024

Institute Of Advanced Studies In Education (Iase), (Deemed University), Gandhi Vidya Mandir, Sardarshahar, Churu (Rajasthan) Through Its Registrar Shri Dharam Singh Gehlot,
Aged About 62 Years

----Appellant

Versus

1. The Union Of India, Through The Secretary, Ministry Of Human Resources Development, Shastri Bhawan, New Delhi.
2. University Grants Commission, Bahadur Shah Zafar Marg, New Delhi 110001
3. Distance Education Council, Indira Gandhi National Open University, Maidan Garhi, New Delhi 110068
4. The State Of Rajasthan, Through Secretary, Department Of Higher Education, Secretariat, Jaipur

----Respondents



D.B. Special Appeal Writ No. 940/2024

CNR: RJHC010714222024 | URN: SAW / 1525U / 2024

University Grants Commission (Ugc), Bahadur Shah Jafar Marg,
New Delhi - 110001

-----Appellant

Versus

1. Institute Of Advanced Studies In Education (Iase), (Deemed University), Gandhi Vidhya Mandir, Sardarshahar, Churu (Rajasthan) Through Its Registrar Dharam Singh Gehlot
2. Union Of India, Through The Secretary, Ministry Of Human Resources Development, Shashtri Bhawan, New Delhi
3. Director, Distance Education Council, Indira Gandhi National Open University, Maidan Grahi, New Delhi - 110068
4. All India Council For Technical Education (Aicte), Indira Gandhi Indoor Stadium, Indraprastha Estate, New Delhi - 110002
5. Director, Distance Education Council (Dec) Cum Secretary, Ugc Aicte Dec, Joint Committee For Technical And General Education In Distance Mode, Indira Gandhi National Open University, Maidan Garhi, New Delhi - 110068
6. State Of Rajasthan, Through Secretary, Department Of Higher Education, Secretariat, Jaipur
7. Harekrishna Verma S/o Shri Yadunandan Verma, Presently Working On The Post Of Sdo Grade - 1, Defense Estates Officer, Bathinda, Punjab

-----Respondents

D.B. Special Appeal Writ No. 1256/2024

CNR: RJHC010702252024 | URN: SAW / 2035U / 2024

University Grants Commission, Ugc, Bahadur Shah Jafar Marg,
New Delhi-110001

-----Appellant

Versus

1. Janardan Rai Nagar Rajasthan, Vidyapeeth (Deemed) University, Through Its Director, Directorate Of Distance Education, Udaipur.



2. Union Of India, Ministry Of Human Resources Development,through Its Secretary, New Delhi
3. Distance Education Bureau, University Grants Commission (Formerly Distance Education Council) Through Its Director, New Delhi

-----Respondents

D.B. Special Appeal Writ No. 715/2026

CNR: RJHC010533212026 | URN: SAW / 1327U / 2026

Neelam Khadgawat W/o Pradeep Khadoliya, Aged About 41 Years, R/o Pradeep Khadoliya, P.n. 6, Bajrang Vihar Vistar, New Loha Mandi Road, Machada, Harmada, Akhepura, District- Jaipur, Rajasthan.

-----Appellant

Versus

1. Union Of India, Through The Secretary, Ministry Of Human Resources Development, Shastri Bhawan, New Delhi.
2. University Grants Commission (Ugc), Through Its Secretary, Bahadur Shah Zafar Marg, New Delhi.
3. Rajasthan Public Service Commission, Through Its Secretary, Ajmer.
4. Director, Distance Education Council (Dec), Indira Gandhi Open University, Maidan Garhi, New Delhi-110068.
5. All India Council Of Technical Education (Aicte), Indira Gandhi Indoor Stadium, Indraprastha Estate, New Delhi-110002.
6. Director, Distance Education Council (Dec) Cum Secretary, Ugc-Aicte-Dec Joint Committee For Technical And General Education In Distance Mode, Indira Gandhi National Open University, Maidan Garhi. New Delhi-110068
7. The State Of Rajasthan, Through The Secretary, Department Of Higher Education, Secretariate, Jaipur.
8. Institute Of Advanced Studies In Education (Iase), Deemed-To-Be University, Gandhi Vidya Mandir, Sardarshahar, Churu, Rajasthan Through Its Registrar Shri Dharam Singh Gehlot, Aged About 63 Years.

-----Respondents



For Appellant(s) : Mr. R.N. Mathur, Sr. Adv. on VC
assisted by Mr. Surendra Singh
Choudhary
Mr. Akhilesh Rajpurohit
Mr. Pankaj Sharma with
Mr. Dhairyaditya Rathore
Mr. Hardik Vyas
Mr. Nishant Bapna
Mr. Sourabh Rajpurohit
Mr. Tararam Sirvi

For Respondent(s) : Mr. Shyam Sunder Paliwa, Dy. S.G.
Mr. Ankur Mathur with
Ms. Adwaita Sharma
Mr. Harshvardhan Singh Thanvi
Mr. Akshay Nagori
Mr. Ravindra Jala for
Mr. S.S. Ladrecha, AAG
Ms. Divyanshi Thanvi for
Mr. B.P. Bohra
Mr. Ramniwas Choudhary
Mr. Khet Singh Rajpurohit

HON'BLE DR. JUSTICE PUSHPENDRA SINGH BHATI
HON'BLE MR. JUSTICE PRAVEER BHATNAGAR

Order

11/08/2026

1. Mr. Pankaj Sharma, learned counsel appearing for the appellant in D.B. Special Appeal Writ No. 715/2026, submits that the appellant is undergoing the selection process for the post of Assistant Professor under the Physical Training Instructor, College Education Department, Examination-2023 conducted by the Rajasthan Public Service Commission (RPSC). He submits that the counselling process is presently underway and that there is a likelihood of the appellant being disqualified from participating in the counselling process on account of the issue relating to the degree in question. He, therefore, submits that the appellant may



not be disqualified from participating in the ongoing counselling process, subject to the final outcome of the present proceedings.

2. This Court is conscious that protection was available under paragraphs 38.8, 38.3 and 38.4 of the impugned order, and it was for this reason that the earlier stay petition was dismissed, inter alia, observing that the protection already available under the aforesaid paragraphs sufficiently took care of the interest of the students at that stage and, therefore, no interim order was required to be passed. The relevant observations contained in paragraphs 18.2 and 18.3 read as under :

"18.2. Thus, the protection already available in para 38.8, read with paras 38.3 & 38.4, of the impugned order, sufficiently take care of the interest of the students at this stage. Moreover, no coercion on temporary suspension has already been directed in para 38.8. in the impugned order for the persons/candidates who are already employed or are having any kind of advantages arising from the qualifications so acquired by them.

18.3. Therefore, any order in light of the aforesaid observations, at this juncture, when the students are not being made to suffer and have an alternate plan for their rehabilitation has already been prescribed, no interim order is required to be passed by this Court in the instant stay application(s), at this stage."

3. The remaining issues require detailed consideration. However, owing to the death reference of a learned member of the Bar, the Court timing today is restricted up to 3:30 p.m., and therefore, due to paucity of time, final hearing is not possible.

4. Thus, the respective Universities are directed to furnish all necessary information to the UGC, as required for the purpose of complying with paragraph 38.4 of the impugned order, so as to protect the interest of the students. Paragraph 38.4 reads as under:





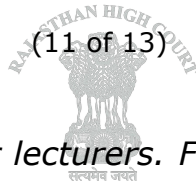
"38.4 During the period of suspension, UGC is directed to promptly take steps to conduct fresh examinations for students whose degrees have been suspended following aforesaid directives. Steps must be done within a reasonable time but not later than a year."

5. The respective Universities shall furnish, within a period of fifteen days from today, the particulars of the students-Petitioners concerned to the University Grants Commission, as may be required for giving effect to paragraph 38.4 of the impugned order. Upon receipt of the aforesaid particulars, the University Grants Commission shall take necessary steps for giving effect to the protection contemplated under paragraph 38.4 of the impugned order within a period of 30 days thereafter.

6. While undertaking the aforesaid exercise, the UGC shall be at liberty to examine and verify the candidature of the students concerned. In the event any student is found eligible and his/her degree is verified to be valid in the eye of law, the UGC shall be free to affirm and confirm the same as a free and valid degree.

7. The above directions are being issued keeping in view the order rendered by the Hon'ble Supreme Court in ***The University Grants Commission Vs. Annamalai University & Ors., [SLP (C) No.15406-15427/2023]***, on **09.02.2026**. In the said order, the Hon'ble Supreme Court, while referring to the principles laid down in ***Orissa Lift Irrigation Corporation Limited v. Rabi Sankar Patro and Ors., (2018) 1 SCC 468***, reproduced the relevant portion of the said judgment, which reads as under:-

"48. Technical education leading to the award of degrees in Engineering consists of imparting of lessons in theory as well as practicals. The practicals form the backbone of such education which is hands-on approach involving actual application of principles taught in theory under the watchful



eyes of demonstrators or lecturers. Face to face imparting of knowledge in theory classes is to be reinforced in practical classes. The practicals, thus, constitute an integral part of the technical education system. If this established concept of imparting technical education as a qualitative norm is to be modified or altered and in a given case to be substituted by distance education learning, then as a concept AICTE ought to have accepted it in clear terms. What parameters ought to be satisfied if the regular course of imparting technical education is in any way to be modified or altered, is for AICTE alone to decide. **The decision must be specific and unequivocal and cannot be inferred merely because of absence of any guidelines in the matter. No such decision was ever expressed by AICTE. On the other hand, it has always maintained that courses leading to degrees in Engineering cannot be undertaken through distance education mode.** Whether that approach is correct or not is not the point in issue. For the present purposes, if according to AICTE such courses ought not to be taught in distance education mode, that is the final word and is binding—unless rectified in a manner known to law. Even National Policy on Education while emphasising the need to have a flexible, pattern and programmes through distance education learning in technical and managerial education, laid down in Para 6.19 that AICTE will be responsible for planning, formulation and maintenance of norms and standards including maintenance of parity of certification and ensuring coordinated and integrated development of technical and management education. **In our view, whether subjects leading to degrees in Engineering could be taught in distance education mode or not is within the exclusive domain of AICTE. The answer to the first limb of the first question posed by us is therefore clear that without the guidelines having been issued in that behalf by AICTE expressly permitting degree courses in Engineering through distance education mode, the deemed to be universities were not justified in introducing such courses.**

66.7 As regards students who were admitted after the academic sessions 2001-2005, their degrees in Engineering awarded by the deemed to be universities concerned through distance education mode stand recalled and be treated as cancelled. All benefits secured by such candidates shall stand withdrawn as indicated in para 59 above. However, the entire amount paid by such students to the deemed to be universities concerned towards tuition fees and other expenditure shall be returned by the deemed to be universities concerned by 31-5-2018, as indicated in para 59."





7.1. In the aforesaid order dated 09.02.2026, the Hon'ble Supreme Court thereafter directed the concerned Universities to furnish the information of the students who had obtained the questionable degrees in the technical branches of study, and directed the UGC to take an appropriate decision on the basis of the principles laid down in **Orissa Lift Irrigation Corporation Ltd. (supra)**. The relevant portion reads as under:-

"We can dispose of the present appeals with the direction that the respondents-Universities shall furnish the information of the students who had obtained the questionable degrees in the technical branches of study. Upon receipt of the information, the UGC shall take appropriate decision on the basis of principles laid down by this Court in the case of 'Orissa Lift Irrigation Corporation Ltd. (supra)."

8. If the UGC, which is under an obligation arising out of the impugned judgment, fails to activate and comply with paragraph 38.4, which formed the basis of the impugned order dated 08.01.2024 and was thereafter reiterated by this Court in its interim order dated 30.05.2024, this Court shall contemplate initiating contempt proceedings against the concerned authorities of the UGC.

9. The present order shall operate only in respect of the petitions pending before this Hon'ble Court. The particulars of the students concerned shall be furnished by the respective Universities to the UGC.

10. Insofar as the appellant in D.B. Special Appeal Writ No. 715/2026 is concerned, since the counselling process is presently underway, it is directed that respondent Nos. 3 and 7, namely, the Rajasthan Public Service Commission and the State Of Rajasthan, Through The Secretary, Department Of Higher Education, Secretariate, Jaipur, respectively, shall not disqualify or otherwise



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prevent the appellant from participating in the ongoing counselling process on account of the issue relating to the degree in question.

11. The appellant shall also not be excluded from the merit list on account of the aforesaid issue. In the event the appellant stands entitled to a post on the basis of her merit, one seat against the post for which she is found eligible in the aforesaid counselling process shall be kept vacant until further orders of this Court. It is, however, directed that no final appointment order shall be issued in favour of the appellant pursuant to the aforesaid counselling process without the permission of this Court.

12. It is clarified that the appellant's participation in the ongoing counselling process and her inclusion in the merit list shall remain subject to the final outcome of the present proceedings. Such participation or inclusion shall not, by itself, be construed as an affirmation by this Court regarding the validity of the degree in question or as conferring any right of appointment upon the appellant.

13. List the matter on 12.10.2026.

(PRAVEER BHATNAGAR),J

(DR.PUSHPENDRA SINGH BHATI),J

69/Sudhir Choudhary