



HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 37012 of 2026

Shubhendu Anand And Another

.....Petitioner(s)

Versus

State Of U.P. And 5 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Shivam Agarwal
Counsel for Respondent(s)	:	C.S.C.

Court No. - 38

HON'BLE VINOD DIWAKAR, J.

1. Heard Shri Shivam Agarwal, learned counsel for the petitioners and Shri Gaurav Tripathi, learned counsel for the respondent nos.2 & 3.
2. Shri Prabhakar Awasthi, learned Senior Counsel appearing on behalf of the respondent no.6 seeks and is granted a week's time to file a counter affidavit.
3. The case of the petitioners is that petitioner no. 1 is a Ph.D. research scholar and petitioner no. 2 is a student of the Vth Semester of the B.A. LL.B. (Hons.) course in the respondent-University, Dr. Rajendra Prasad National Law University, Prayagraj. Petitioner no. 2 is a resident of the Boys' Hostel of the University.
4. The petitioners state that they do not seek any exemption from the academic standards prescribed by the University. Their grievance is that academic and administrative authority has been used by respondent no. 6 - the Head of the Department of Law and Warden of the Boys' Hostel- as an instrument of caste-based humiliation and retaliation.
5. Petitioner no. 2 submitted a complaint dated 20.08.2026 by electronic mail to respondent no. 3, the Vice-Chancellor, with a copy to Dr. Sonika, Assistant Professor of Law. It is contended that the competent authority of the University has failed to take any action upon the complaint, and has thereby, in effect, shielded respondent no. 6. Petitioner no. 2 is said to have sent repeated reminders and further complaints, but his grievance remains unredressed.

6. Excerpts from the second and third paragraphs of the complaint dated 20.08.2026 are reproduced hereunder, for a proper understanding of the issue raised:

"... Constitutional Law-II is the Gold Medal subject, and I had secured the highest marks in Constitutional Law-I. At the beginning of Fourth Semester, a remark was made by respondent no. 6 to the effect: 'jo constitutional law me highest lekar aya hai, ab mere me lekar aaye.' The concerned faculty member was aware that I had secured the highest marks in Constitutional Law-I. I, therefore, understood it as an indirect reference to me and my previous performance.

I believe that the stricter evaluation of my answer-sheets is due to my caste, as there have been multiple occasions when he, who belongs to an upper caste community, has publicly made intentional insulting remarks concerning caste and reservation, including 'Tum to achchi family se ho, tumhe reservation kyo chahiye?' and comments regarding a current faculty member who was appointed under the reserved category...

I therefore respectfully request that my Constitutional Law-II and other answer scripts be independently reviewed or re-evaluated by another impartial evaluator, subject to the University's rules, to determine whether the same standards and degree of scrutiny have been applied to my answer scripts.

I also request that my identity and this representation be kept confidential to the maximum extent possible, and disclosed only to persons necessary for examining the matter. I am concerned that raising this issue may adversely affect my future academic environment, my relationship with faculty members, or academic opportunities ..."

7. Further allegations of caste-based remarks directed at the petitioners are contained in Annexures 2, 3 and 4 to the petition. Those allegations have not been set out in this order, since their reproduction at this stage would serve no purpose, the matter being yet to be inquired into.

8. It is clarified at the outset that this Court records no finding whatsoever

upon the truth of the allegations made against respondent no. 6 or against any other person. The allegations are serious, and for that very reason they require to be examined by an impartial agency after affording a full opportunity of hearing to the person against whom they are made. Nothing in this order shall be construed as an expression of opinion upon their correctness.

9. Having heard learned counsel for the petitioners, and upon a perusal of the record and of the prayers made in the petition, this Court considers it appropriate to direct the constitution of two Committees.

10. Re-evaluation. The Vice-Chancellor of the respondent-University shall constitute an independent Committee to re-evaluate the answer sheets of petitioner no. 2 in the subjects taught and evaluated by respondent no. 6 in the Vth Semester, and in such other subject or subjects as petitioner no. 2 may indicate. It is directed that:

(i) no member of the Committee shall be a person who evaluated the answer sheets in the first instance, and respondent no. 6 shall have no role, direct or indirect, in the constitution or functioning of the Committee;

(ii) the answer sheets shall be placed before the Committee after masking the identity of the candidate and of the original evaluator, and the Committee shall not be informed of the marks originally awarded; and

(iii) the Committee shall complete the exercise and submit its report to the Vice-Chancellor within one week, and the Vice-Chancellor shall place the report before this Court on the next date of hearing.

11. Inquiry into the allegations. For an inquiry into the grievances raised by the petitioners, including those contained in Annexures 2, 3 and 4 to the petition, Smt. Archana Singh-I, learned Judge, Small Cause Court, District Court, Prayagraj, and Shri Arun Kumar Yadava, learned Special Chief Judicial Magistrate, Prayagraj, are requested to conduct an inquiry and to submit a report to this Court.

12. The objective of the inquiry shall be to ascertain whether students belonging to the Scheduled Castes, the Scheduled Tribes have been subjected to caste-based humiliation or discrimination by respondent no. 6, or by any other person employed in or working for gain in the University, and whether the complaints made in that behalf were dealt with by the

University in accordance with the applicable regulations.

13. The inquiring officers shall record the statements of the petitioners and of such other persons as they consider necessary, including respondent no. 6, and shall be at liberty to call for such records of the University as may be required. The Registrar of the University shall extend full cooperation and shall make available all records called for.

14. Before recording any conclusion adverse to any person, the inquiring officers shall put the substance of the allegations to that person and afford him or her a reasonable opportunity of explanation, and the report shall record the opinions and recommendation, if any to substance of the explanation so furnished.

15. The inquiring officers shall take such measures as they consider appropriate to protect the identity of any student who deposes before them, having regard to the apprehension of retaliation expressed in the complaint dated 20.08.2026.

16. The report shall be submitted in a sealed cover before next date of hearing.

17. The Vice-Chancellor shall ensure that neither petitioners are subjected to any adverse consequence, academic or administrative, on account of the institution of these proceedings or of any statement made in the course of the inquiry. It is further directed that, until further orders, respondent no. 6 shall not be assigned any role in the evaluation of the answer scripts of petitioner no. 2, or in any disciplinary or hostel-related matter concerning either petitioners. The Respondent no.6 shall be relieved henceforth from all administrative responsibilities till the completion of the enquiries immediately after receipt of a copy of this order.

18. The Vice-Chancellor shall also place before this Court a short affidavit stating whether the University has constituted an Equal Opportunity Cell and a Committee for the redressal of grievances of students belonging to the Scheduled Castes and Scheduled Tribes, in terms of the applicable University Grants Commission Regulations; the composition thereof; the action taken upon the complaint dated 20.08.2026 and upon the reminders said to have been sent; and the reasons for which no action appears to have been taken. In the same manner, the Registrar shall also file the personal

affidavit.

19. The Registrar (Compliance) shall transmit a copy of this order forthwith to the Vice-Chancellor of the respondent-University, and to the two inquiring officers named hereinabove, through the District Judge, Prayagraj in a sealed cover, separately, along with photocopy of the writ petition.

20. The Vice-Chancellor and the Registrar of the respondent-University shall maintain strict confidentiality in respect of the subject matter of these proceedings, and shall disclose the same only to such persons as are necessary for compliance with this order, so that no adverse effect is caused to the academic or administrative environment of the University, or to the interests of any person concerned. The inquiring officers shall likewise ensure that the proceedings of the inquiry, and the identity of the persons who depose before them, are kept confidential.

21. Put up this case as fresh on 24.09.2026 at 12:00 p.m.

September 16, 2026
Anil K. Sharma

(Vinod Diwakar,J.)