

ITEM NO.41 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

Petition(s) for Special Leave to Appeal (C) No(s). 13345/2021

(Arising out of impugned final judgment and order dated 23-07-2021 in MB No. 15452/2021 passed by the High Court Of Judicature At Allahabad, Lucknow Bench)

AHAMAD RAZA KHAN Petitioner(s)

VERSUS

KHWAJA MOINUDDIN CHISHTI URDU ARABI FARSI UNIVERSITY & ORS. Respondent(s)

(FOR ADMISSION and I.R.)

Date : 04-10-2021 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE M.M. SUNDRESH

For Petitioner(s) Mr. Huzefa Ahmadi, Sr. Adv.
Mr. Talha Abdul Rahman, AOR
Mohd. Shaz Khan, Adv.
Mr. Harsh Vardhan Kediya, Adv.
Mr. Shahrukh Alam, Adv.
Mr. Udit A Kokanthankar, Adv.

For Respondent(s) Mr. M. C. Dhingra, AOR
Mr. Shubham Tripathi, adv.
Mr. Gaurav Mehrotra, Adv.
Mr. Gaurav Dhingra, Adv.
Mr. M.K. Pandita, Adv.

Ms. Neela Gokhale, Adv.
Ms. Anannya Ghosh, AOR

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

A short affidavit has been filed by respondent Nos. 1 to 5 in terms of our order dated 06.09.2021 which, as already observed in the order, was more on account of some compassion for the

petitioner rather than any legal principle considering the petitioner has already suffered a loss of two years. The consequence would have been that the petitioner who was in third year, and met the necessary attendance requirements, would have to restart his student life in the respondent university.

We appreciate the stand taken by the respondent University in the short reply based on the regret and apology tendered by the petitioner, which has been accepted by the relevant Committee and the suggestion as approved by the Vice Chancellor of the University. In terms of the same, the petitioner has been given a chance to complete his course by allowing him to write the examination for the sixth semester of his course i.e. BA (Hons.) likely to be held in May, 2022 or on a later date subject to the orders to be passed by this Court.

The aforesaid solves the problem of the petitioner and we approve the decision of the respondent University taken in a difficult situation arising from the own conduct of the petitioner. Needless for us to say that the petitioner is required to keep his conduct in a proper manner now and should give no occasion to the University to now take action against him. Subject to the same, what has been approved by the Vice Chancellor may be given

effect to and we make it clear that the university would be well within its rights to withdraw the concession made aforesaid to the petitioner for any adverse conduct, whatsoever, reported of the petitioner.

In the peculiar facts of the case, more so on account of the Covid, shortage of attendance of the petitioner would not come in his way.

The special leave petition stands disposed of.

[CHARANJEET KAUR]
ASTT. REGISTRAR-cum-PS

[POONAM VAID]
COURT MASTER (NSH)