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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 4158/2022**

ANAND KUMAR SINGH

..... Petitioner

Through: Ms. Isha Kapoor, Mr. Jai Saini and
Ms. Jyoti Nambiar, Advocates.

versus

JAMIA MILLIA ISLAMIA UNIVERSITY & ORS. Respondents

Through: Mr. Pritish Sabharwal, Standing
Counsel with Mr. Sanjeet Kumar,
Advocate for R-1 to 4.
Mr. Apoorv Kurup, Ms. Nidhi Mittal
and Mr. Ojaswa Pathak, Advocates
for R-5/ UGC.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

% **18.08.2022**

**CM APPL. 35839/2022(u/S 151 of the Code of Civil Procedure, 1908 on
behalf of Petitioner seeking grant of interim direction/ relief)**

1. During the course of submissions, the Court has proceeded to hear submissions on the main writ petition itself.
2. Re-notify on 24th August, 2022.

W.P.(C) 4158/2022

3. Petitioner, who had originally enrolled for integrated M.Phil./ Ph.D. course work with Respondent No. 1– Jamia Millia Islamia University, was subsequently registered directly for the Ph.D. programme. The controversy is regarding the date of registration to the said programme which according



to Petitioner has been delayed on account of fault of Respondent No. 1-University. Reliance is placed on the amended paragraph 4(b) in Ordinance 9(IX)[Academic] [annexed as Annexure P-4 to the petition] which reads as under:

Para No.	Existing	Amended
2(b)	...	...
2(b)	...	...
2(b)	...	...
2(d)	...	...
2(e)	...	...
2(h)	...	...
3(a)	...	...
4(b)	<u>Last paragraph of Para 4(a):</u> Provided that scholar possessing M. Tech/ M. Arch/MDS degree or a scholar securing more than 70% (or equivalent CGPA) may be allowed to directly proceed for registration in Ph.D programme.	<u>Provided that scholar possessing M. Tech/M. Arch/MDS degree or a scholar securing more than 70% (or equivalent CGPA) in M.Phil/Ph.D course work, Foreign Scholars and scholars having fellowship such as NET-JRF/DST-INSPIRE may be allowed to directly proceed for registration in Ph.D programme.</u>
5(a)	...	...
5(f)	...	...

[Emphasis Supplied]

4. On the basis of the aforementioned provision, Mr. Prithish Sabharwal, counsel for Respondent No. 1-University, contends that Petitioner did not secure more than 70% in M.Phil./Ph.D. course work and thus, was ineligible for a direct registration in the Ph.D. programme.

5. However, it is noted that the above submissions do not demonstrate the reason for direct registration of Petitioner for the Ph.D. programme on 11th June, 2021. Accordingly, the Court has queried Mr. Sabharwal on the provision under which Petitioner was finally directly registered to the said programme. On this aspect, although Mr. Sabharwal contends that the registration was done on the basis of the score in the course work, but this submission is not convincing. It does not explain how the Petitioner



overcame the ineligibility of his score being less than 70% in the M.Phil./Ph.D. course work. Mr. Sabharwal seeks time to take appropriate instructions.

6. Re-notify on 24th August, 2022.

SANJEEV NARULA, J

AUGUST 18, 2022

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