

GAHC010030222024



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/879/2024

KUMAR GAURAV
S/O- SHATRUGHNA KUMAR SUMAN,
R/O- QTR NO-D-20, (OLD), BSEB COLONY, NEW PUNALCHAK, NEAR DAV
SCHOOL, LBS NAGAR, PATNA, BIHAR, PIN-800023

VERSUS

UNION OF INDIA AND 4 ORS
REP. BY THE MINISTRY OF EDUCATION, GOVT. OF INDIA, NEW DELHI

2:INDIAN INSTITUTE OF TECHNOLOGY GUWAHATI (IIT GUWAHATI)
PO AND PS- NORTH GUWAHATI
KAMRUP (R)
GUWAHATI- 781039
REPRESENTED BY ITS DIRECTOR

3:STUDENTS DISCIPLINARY COMMITTEE (SDC)
INDIAN INSTITUTE OF TECHNOLOGY (IIT)
GUWAHATI
PO AND PS NORTH GUWAHATI
KAMRUP (R)
GUWAHATI

4:BOARD OF GOVERNORS (BOG)

REP. BY ITS CHAIRMAN

INDIAN INSTITUTE OF TECHNOLOGY GUWAHATI (IIT GUWAHATI)
PO AND PS- NORTH GUWAHATI
KAMRUP (R)
ASSAM

5:STUDENTS AFFAIRS SECTION
REP. BY JOINT REGISTRAR AND HOS

INDIAN INSTITUTE OF TECHNOLOGY (IIT)
GUWAHATI
KAMRUP (R)
ASSA

Advocate for the Petitioner : MR. S SHARMA

Advocate for the Respondent : DY.S.G.I.

B E F O R E
HON'BLE MR. JUSTICE KARDAK ETE

21.02.2024

Heard Mr. S. Sharma, learned counsel for the petitioner.

The petitioner is aggrieved by the action of the respondent authority dated 29.09.2023, whereby, the following actions have been taken against the petitioner which is reproduced herein under:-

- a) You are given an academic expulsion with immediate effect for a period of one year I.e. till June 2024.*
- b) You are expelled from the Institute hostel for the entire duration of your academic programme with immediate effect, the hostel room must be vacated within five days from the receipt of this letter.*
- c) You are not allowed to take part in the institute placement.*
- d) You are not allowed to attend convocation physically after you complete your academic requirements for the award of the degree.*

Petitioner further challenges the communication dated 24.01.2024, whereby, the appeal against the disciplinary action dated 29.09.2023 has been rejected by the Registrar In-charge/Secretary of BOG (IIT Guwahati).

It is contended by the learned counsel for the petitioner that the allegation against the petitioner is that the petitioner was involved in the incident, which resulted in the conflict situation in the institute campus on 08.08.2023 and 12.08.2023 without any specific charges against the petitioner. The action against the petitioner, it is contended, is too harsh. The petitioner has filed the appeal against such disciplinary action dated 29.09.2023 before the Director of IIT, Guwahati. However, vide impugned communication dated 24.01.2024, the appeal of the petitioner has been rejected mechanically without application of mind.

Issue notice, returnable on 28.02.2024.

Ms. R. Devi, learned CGC entered appearance on behalf for the respondent no. 1.

The petitioner is directed to take steps for service of notice upon the respondents nos. 2,3,4 and 5 within 3(three) days by registered post with A/D.

List this matter along with WP(C) 674/2024 and WP(C) 676/2024 on 28.02.2024.

JUDGE

Comparing Assistant