

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 11354/2025

Jai Rao S/o Shri Harish Chand Rav
-----Petitioner
Versus
State Of Rajasthan
-----Respondent

Connected With

S.B. Civil Writ Petition No. 11789/2025

Akash Yadav S/o Lekhraj Yadav
-----Petitioner
Versus
State Of Rajasthan
-----Respondent

S.B. Civil Writ Petition No. 11800/2025

Abhay Choudhary S/o Shri Sita Ram
-----Petitioner
Versus
State Of Rajasthan
-----Respondent

S.B. Civil Writ Petition No. 13904/2025

Neeraj Khichar S/o Shri Rajender
-----Petitioner
Versus
State Of Rajasthan
-----Respondent

S.B. Civil Writ Petition No. 14689/2025

Shubham Rewar S/o Shri Gajendra Singh
-----Petitioner
Versus
State Of Rajasthan
-----Respondent

For Petitioner(s) : Dr. Abhinav Sharma (Amicus Curiae)
through VC with Mr. Akshaya Varma &
Mr. Rahul Sharma
Mr. Shantanu Pareek
Mr. Navin Kumar Yadav
Mr. Tushar Panwar with
Mr. Rohit Mahrada
Mr. Tushar Goyal

Mr. Mukul Rao
Mr. Deepak Tiwari
Mr. Rishabh Bhidasra
For Respondent(s) : Mr. Rajendra Prasad, AG with
Mr. Sheetanshu Sharma
Mr. Tanay Goyal
Mr. S.S. Naruka, AAG with
Mr. Jitendra Kumar Takar
Mr. A.K. Sharma, sr. adv. with
Mr. Rachit Sharma

HON'BLE MR. JUSTICE SAMEER JAIN

Order

03/11/2025

1. Learned Advocate General, Mr. Rajendra Prasad and learned senior counsel, Mr. A. K. Sharma, representing the respondent-university, have raised a strong preliminary objection regarding the maintainability of the present writ petitions.
2. Learned Advocate General has relied upon the Constitution of the Rajasthan University Students Union, 2010 as amended in 2014 ("**the RUSU**"), and has submitted that Clause 10 of the same deals with the automatic membership of Rajasthan University Students' Union, on payment of a specified fee, to every student on the admission of student in the University/ Constituent College/ Law College in an academic session.
3. It is submitted that presently there are approximately 26,500 students/members exist in the Rajasthan University, which is one of the respondent in the present writ petitions. It is further submitted that out of 26,500 students, handful of students have litigated the said issue before this Court under Article 226 of the Constitution. Further, it is submitted that if the present petitioners were having any grievance against the respondent-university, they

should have approached the Dean Student Welfare ("**DSW**") as per Clause 13 of the RUSU. It is further submitted that the decision of not conducting the elections by the respondent-university is not at all arbitrary in nature, but the same was taken in account by a conscious and legitimate decision, keeping in mind the situation of law and order, advent of National Education Policy (NEP), and other justifiable reasons under the Chairmanship of different Vice Chancellors.

4. It is also submitted by the learned counsel for respondents that if any student, having a different view, and is opposed to the decision of the University to not conduct the elections, he/she could file a grievance by way of a representation before the DSW and the University would accordingly deal with such representations and could have passed certain decision in this regard. It is further submitted that the present writ petitions have been filed merely by a handful of five students, who are clearly not in the position to represent voice of the majority as alleged, makes the present petitions not maintainable.

5. It is further submitted that the 'Right to Vote' is a constitutional right which is completely distinct and separate from the 'Right to ask to conduct elections' and the present is the case of latter. It is further submitted that the a handful of five petitioners cannot represent voice of the majority; that no grievance has ever come to be lodged by the aggrieved petitioners before DSW; that no decision is taken by the University in this regard; that the present petitions are pre-mature. It is submitted that on account of aforesaid submissions, the instant writ petitions should be dismissed in *limine* and on preliminary objection itself.

6. The matters will be heard on the preliminary objection and, if necessary, on the merits.
7. Written submissions, if any, may be filed in advance.
8. List these matters on 10.11.2025 at 2:00 PM.

(SAMEER JAIN),J

DEEPAK/s-250-254