



डा0 ए0 पी0 जे0 अब्दुल कलाम प्राविधिक विश्वविद्यालय

(पूर्ववर्ती उत्तर प्रदेश प्राविधिक विश्वविद्यालय)

सेक्टर-11, जानकीपुरम विस्तार, सीतापुर रोड़, लखनऊ-226031

पत्रांक: डा0ए0पी0जे0अ0क0प्रा0वि0 / कुस0का0 / 2020 / 1678 दिनांक: 10 सितम्बर, 2020
सेवा में,

निदेशक/प्राचार्य
विश्वविद्यालय से सम्बद्ध समस्त संस्थान।

विषय: मा0 उच्चतम न्यायालय में योजित स्पेशल अपील संख्या 8148/2020 में दिनांक 07.09.2020 को पारित आदेश के संबंध में।

महोदय,


विश्वविद्यालय के कार्यालय ज्ञाप सं0 डा0ए0पी0जे0अ0क0प्रा0वि0 / कुस0का0 / नामंकन / 2020/5421 दिनांक 13 जून, 2020 द्वारा शैक्षिक सत्र 2016-17, 2017-18, 2018-19 में झारखण्ड स्टेट ओपन स्कूल, (बोर्ड) राँची से 12वीं की परीक्षा उत्तीर्ण कर विश्वविद्यालय से सम्बद्ध संस्थानों में प्रवेशित छात्र/छात्राओं के सम्बन्ध में सूचित करना है कि झारखण्ड स्टेट ओपन स्कूल (बोर्ड), राँची द्वारा निर्गत किये गये शैक्षिक प्रमाण पत्रों की वैधानिकता के सम्बन्ध में मा0 न्यायालय में योजित रिट संख्या स्पेशल अपील 563/2019 में पारित आदेश दिनांक 10 जून, 2020 के अनुपालन में विश्वविद्यालय द्वारा ऐसे समस्त छात्र/छात्राओं का नामांकन निरस्त किया गया था। जिस पर साहिल सोहेल व अन्य बनाम डा0 ए0पी0जे0अब्दुल कलाम प्राविधिक विश्वविद्यालय द्वारा मा0 उच्चतम न्यायालय में योजित स्पेशल अपील संख्या 8148/2020 दायर की गयी थी जिस पर मा0 न्यायालय द्वारा दिनांक 07-09-2020 को निम्न आदेश दिये गये हैं:-

We, thus, reluctantly dismiss the Special Leave Petition.

At this stage, learned senior counsel for the petitioner points out that the continuation on the website of the recognition of the Board is not only creating a problem in Jharkhand but also in other Universities and hence immediate steps should be taken in this behalf. We direct all concerned to do the needful within three days from today.


अतः मा0 उच्चतम न्यायालय के आदेश के अनुपालन की कार्यवाही सुनिश्चित करें।

भवदीय,


(नन्द लाल सिंह)
कुलसचिव

प्रतिलिपि: निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित:-

1. वित्त अधिकारी, ए0के0टी0यू0, लखनऊ।
2. परीक्षा नियंत्रक, ए0के0टी0यू0, लखनऊ।
3. उप कुलसचिव ए0के0टी0यू0, लखनऊ।
4. प्रभारी ई0आर0पी0, ए0के0टी0यू0, लखनऊ को इस आशय से प्रेषित कि विश्वविद्यालय के पोर्टल पर प्रदर्शित कराना सुनिश्चित करें।
5. स्टाफ आफीसर, कुलपति कार्यालय, ए0के0टी0यू0, लखनऊ को मा0 कुलपति महोदय के सूचनार्थ प्रेषित।


(नन्द लाल सिंह)
कुलसचिव

ITEM NO.1+28 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
RECORD OF PROCEEDINGS

Item No.1:

Petition(s) for Special Leave to Appeal (C) No(s). 8148/2020

(Arising out of impugned final judgment and order dated 10-06-2020 in SA No. 563/2019 passed by the High Court Of Judicature At Allahabad, Lucknow Bench)

SAHIR SOHAIL & ORS.

Petitioner(s)

VERSUS

DR. A.P.J. ABDUL KALAM TECHNICAL UNIVERSITY & ORS. Respondent(s)

(IA No. 81099/2020 - GRANT OF INTERIM RELIEF)

With

Item No.28:

Petition(s) for Special Leave to Appeal (C) No(s). 10546/2020

(FOR ADMISSION and I.R. and IA No.87536/2020-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 07-09-2020 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE ANIRUDDHA BOSE
HON'BLE MR. JUSTICE KRISHNA MURARI

For Petitioner(s) Mr. Gopal Sankarnarayanan, Sr. Adv.
Mr. Ruchir Ranjan Rai, Adv.
Mr. Anilesh Tewari, Adv.
Mr. Desh Deepak, Adv.
Mr. Mahesh Kumar, Adv.
Mr. Suushant Yadav, Adv.
Ms. Devika Khanna, Adv.
Mrs. V.D. Khanna, Adv.
For M/s. Vmz Chambers, AOR

Mr. Jitender Mohan Sharma, Sr. Adv.
Mr. Ajit Sharma, AOR

Signature Not Verified
Digitally signed by
ASHA SUNDMYAL
Date: 2020.09.07
18:02:46 IST
Reason:

For Respondent(s) Mr. Amitesh Kumar, Adv.
Ms. Binisa Mohanty, Adv.
Ms. Priti Kumari, Adv.
Mr. Mritunjay Kumar Sinha, AOR

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

SLP(Civil)10546/2020

Learned senior counsel for the petitioner seeks to withdraw the present petition.

The special leave petition is accordingly dismissed as withdrawn.

SLP(Civil)No.8148/2020

We have heard learned counsel for the parties at some length as it is an issue of the career of the students. However, we find not only from the facts of the present case, but also what emerged in the connected matter i.e. SLP(Civil)No.10546/2020 that the Jharkhand State open exam process itself appears to be a complete fraud. We must also fault the University to some extent which did not carry out an appropriate verification as also the State Government which should have kept a watch for such fraudulent exam systems which operate out of one room! We would call upon the University and the State Government to take immediate corrective action and also bring the defaulters to book.

We do have sympathy but this is not a case where we can really translate our sympathy to a relief in the present case, more so, in view of the fact that since this exam system is found to be fraudulent, the petitioners before us will never have a recognized plus two status and to give such students the opportunity to get a degree from the University will create a great anomaly.

We, thus, reluctantly dismiss the Special Leave Petition.

At this stage, learned senior counsel for the petitioner points out that the continuation on the website of the recognition of the Board is not only creating a problem in Jharkhand but also in other Universities and hence immediate steps should be taken in this behalf. We direct all concerned to do the needful within three days from today.

Pending application shall also stand disposed of.

(ASHA SUNDRIYAL)
AR-CUM-PS

(ANITA RANI AHUJA)
ASSISTANT REGISTRAR