
(2017) 03 AHC CK 0061
In the Allahabad High Court
Case No : Special Appeal No. 132 of 2017

C/M Pt. Ram Shabd Smriti Mahavidyalaya	APPELLANT
Vs	
Dr. Ram Manohar Lohiya Avadh University Faizabad	RESPONDENT

Date of Decision : 24-03-2017

Acts Referred:

Citation : (2017) 5 ADJ 386

Hon'ble Judges : Amreshwar Pratap Sahi and Sanjay Harkauli, JJ.

Bench : Division Bench

Advocate : Pawan Kumar Pandey, Advocate, for the Appellants; Kuldeep Pati Tripathi, Advocate, for the Respondents

Final Decision : Disposed Off

Judgement

1. Heard learned counsel for the appellant.
2. The appeal questions the correctness of the judgment dated 21.03.2017 of the learned Single Judge whereby the writ petition filed by the petitioner-Management Committee has been dismissed in relation to allowing the institution to function as a self-centre for the forth coming Graduation Examination to be conducted by Dr. Ram Manohar Lohiya Avadh University scheduled to be held from tomorrow i.e., 25.03.2017. The learned Single Judge did not find it appropriate to interfere in the matter at this stage when the examinations were to commence immediately. It has also been found that this being a matter of policy, the same did not require any indulgence.
3. It appears that similar writ petitions were filed in relation to other institutions that were entertained by another learned Single Judge and in W.P. Nos. 6157 (M/S) of 2017, 6105 (M/S) of 2017, 6102 (M/S) of 2017, 6099 (M/S) of 2017 & 6070 (M/S) of 2017 directions have been issued on 23.03.2017 by a Co-ordinate Bench disposing off the petitions with a direction to the University authorities namely the Examination Controller to consider the difficulties faced by the students and reconsider the allotment of examination centre or either allot self-

centre or centres at some nearby institutions in order to avoid any such inconvenience.

4. The said petitions have also been opposed by Shri Kuldeep Pati Tripathi, learned counsel, who has appeared in the present case as well and Shri Tripathi submits that the judgment dated 21.03.2017 has been placed before the learned Single Judge, yet the directions have been issued for reconsideration, but on instructions from the University he states that at this stage it is not possible to alter the examination centres when the exams are to commence from 25.03.2017.

5. Shri Tripathi may be right in his submission to some extent but in view of this anomalous situation which has arisen even though we are not inclined to interfere with the impugned judgment, yet we provide that in the event the University takes any decision pursuant to the direction issued on 23.03.2017, the same will be applied to the case of the appellant as well.

6. Consign to records with the said observations.