
(2021) 03 UK CK 0076

In the Uttarakhand High Court

Case No : Writ Petition (M/S) No. 521 Of 2021

Dr. B.S. Gupta Medical Charitable Society & Another

APPELLANT

Vs

State Of Uttarakhand & Another

RESPONDENT

Date of Decision : 05-03-2021

Acts Referred:

Central Universities Act, 2009 — Section 4(f)

Citation : (2021) 03 UK CK 0076

Hon'ble Judges : Manoj Kumar Tiwari, J

Bench : Single Bench

Advocate : Bhupesh Kandpal, T.S. Phartiyal, Dr. Kartikey Hari Gupta

Final Decision : Disposed Of

Judgement

Manoj Kumar Tiwari, J

1. This writ petition has been filed by Seema Dental College & Hospital, which runs various dental courses. Petitioner is aggrieved by communications

dated 24.07.2020, 11.08.2020, 16.12.2020 and 18.12.2020 issued by Hemwati Nandan Bahuguna Garhwal University, whereby he has been asked to

take necessary steps for transfer of affiliation from Hemwati Nandan Bahuguna Garhwal University, which is a Central University, to some State

University.

2. Learned counsel for the petitioner submits that petitioner's college is protected by Section 4(f) of the Central Universities Act, 2009, therefore,

Hemwati Nandan Bahuguna University cannot de-affiliate petitioner's college.

3. Having regards to the fact that petitioner has not been de-affiliated as yet and he has been simply asked to take necessary steps for affiliation with

some State University, this Court is not inclined to entertain this writ petition at

this stage. Since petitioner has already made a representation to the Vice-Chancellor, Hemwati Nandan Bahuguna Garhwal University on 24.09.2020, which is enclosed as annexure 18 to the writ petition, therefore, the writ petition is disposed of with a direction to Vice-Chancellor to take decision on petitioner's representation dated 24.09.2020, within fifteen days from the date of receipt of certified copy of this order. Till decision is taken on petitioner's representation, petitioner-college shall not be de-affiliated.

4. Let certified copy of this order be supplied to the parties today itself.