
(2001) 09 UK CK 0003

In the Uttarakhand High Court

Case No : C.M.W.P. No. 811 (M/B) of 2001

Jitendra Kumar Verma

APPELLANT

Vs

Principal, Govt. P.G. College, Bageshwar and Others

RESPONDENT

Date of Decision : 20-09-2001

Acts Referred:

Citation : (2002) 2 UC 353 : (2002) 1 UPLBEC 8

Hon'ble Judges : Ashok A. Desai, C.J;Mahesh Chand Jain, J

Bench : Division Bench

Final Decision : Dismissed

Judgement

A. A. Desai, C.J. and M. C. Jam,0 J.

1. In this bunch of petitions, the common question involved is whether the student, above the age of 25 and the students who have been admitted provisionally could contest election of the student council.

2. The learned counsel appearing in these petitioners have urged that the students have the right to contest election. The rules or instructions are arbitrary making discrimination by carving out various clauses which are not based on intelligible differentia. We heard the group of lawyers at length.

3. Undisputedly election of the student council is a secondary activity in the academic sphere, may be University or College. Undisputedly further, this right is not conferred on the student by statute either. The University or College Authorities are competent to regulate this ancillary activity. While regulating, if they are imposing certain prohibitions or restrictions on the particular category of students namely, who are above the age of 25 and those admitted provisionally, we do not see any irrationality or violation of any fundamental right since the election is provided by the University or College on their own volition. No right is involved of the students. The petitions are therefore, without any merit.

4. We dismiss all the petitions. Interim order dated 21.9.2000 passed in Writ

Petition No. 1835 MS/2001 is hereby vacated.