
(2008) 04 JH CK 0026
In the Jharkhand High Court

Manju Rani Patra

APPELLANT

Vs

Ranchi University and Others

RESPONDENT

Date of Decision : 28-04-2008

Acts Referred:

Citation : (2008) 3 JCR 337

Hon'ble Judges : R.K. Merathia, J

Bench : Single Bench

Final Decision : Dismissed

Judgement

R.K. Merathia, J.—Heard the parties finally.

2. It appears that as the representation of the petitioner made pursuant to the order dated 8.5.2006 passed in W.P. (C) No. 869 of 2006 (Annexure 1) was not disposed of. petitioner filed writ petition being W.P. (C) No. 1150 of 2007 which was disposed of on 26.6.2007 directing the respondents to dispose of the representation of the petitioner. Pursuant to the said order, the petitioner was heard and after examining her case, her representation has been rejected by order dated 23.7.2007 (Annexure 5) which is impugned in this writ petition.

3. Mr. Swapan Maji, appearing for the petitioner, submitted that as per the Letter No. P/1677-81 dated 10.7.1991, she submitted her thesis along with the requisite fees and, therefore, Ph.D. degree should have been awarded to her, but her representation has been wrongly rejected. He further submitted that the petitioner produced the certificates annexed with the writ petition before the authority concerned at the time of hearing of her representation, but the same were not considered.

4. Mr. Anoop Kumar Mehta, appearing for the Ranchi University, supported the impugned order.

5. It appears from the impugned order that the petitioner was registered for Ph.D. degree in the University on 25.5.1986 under the supervision of Dr. R.R. Jha

and after pre-submission seminar was held on 6.3.1991 in the P.G. Department of Chemistry, she was permitted to submit her thesis on the specified topic vide letter dated 10.7.1991 with instruction to submit the thesis through the Supervisor, Head of the department and the Dean of the faculty concerned with requisite fee of Rs. 200/-, but she could not produce any proof of deposit thereof. It was further found that on 2.4.1991, the then Head of the Department "forwarded" a thesis of one Md. Hasan Imam but there was no such remarks against the petitioner. It is further said that if the candidate fails to submit thesis within five years, he is required to apply for extension of time for a maximum period of one year and if within that time also, it is not submitted, a fresh registration is required after getting approval from the University. The relevant portion of the impugned order reads as follows:

Since there is no record in the P.G. Department of Chemistry regarding submission of Ph.D. thesis nor you produced any proof for depositing fee in the University office, as such it is transpired that you did not submit your Ph.D. thesis in the University office for the award of Ph.D. degree though permitted by the University.

It is pertinent to point out that Ph.D. degree can be awarded after its submission and examination of thesis by the examinees followed by the open viva-voce examination of the candidate in the P.G. Department concerned.

Since you did not submit your Ph.D. Thesis along with requisite fee in the University office, your claims raised in the said representation have no merit and liable to be rejected, thus stand rejected.

6. The petitioner could not show that she complied with the instruction contained in the said letter dated 10.7.1991. On the basis of the two purported certificates of Dr. R.R. Jha (Annexures 2, 3 and 3/1) it cannot be held that petitioner complied with the requirements of the letter dated 10.7.1991. Moreover, there is no explanation as to why the petitioner did not move the concerned authority or the Court of the law if she submitted her thesis in terms of the said letter in 1991 but no action was taken thereon. She moved this Court only in 2006 i.e. after about 15 years. Thus no ground has been made out for interference with the impugned order. Accordingly, this writ petition is dismissed. However, no costs.