
(2021) 06 GAU CK 0031

In the Gauhati High Court

Case No : Writ Petition (Civil) No. 2986 Of 2021

Md. Imtiaz Hussain

APPELLANT

Vs

State Of Assam And 4 Ors

RESPONDENT

Date of Decision : 02-06-2021

Acts Referred:

Citation : (2021) 06 GAU CK 0031

Hon'ble Judges : N. Kotiswar Singh, J

Bench : Single Bench

Advocate : A R Bhuyan

Judgement

1. The Court proceedings have been conducted through video-conference.
2. Heard Mr. A.R. Bhuyan, learned counsel for the petitioner.
3. Issue notice, returnable within two weeks.
4. Mr. K. Gogoi, learned Standing Counsel, Higher Education Department, accepts notice on behalf of the respondent No.1 whereas Mr. P.J. Phukan, learned Standing Counsel, Gauhati University, on behalf of the respondent Nos.2 to 4.
5. The petitioner to take steps for service of notice upon respondent No.5 by registered post with AD. In addition, steps through the registered e-mail id of the respondent No.5 is to be taken.
6. In this petition, the petitioner is seeking for a direction to allow him to appear in the ensuing LL.M Second Semester Examinations, which are scheduled to start from 04.06.2021.
7. It has been submitted that the petitioner is a bona fide student of LL.M program of JB Law College under the Gauhati University having Roll

No.807/2018 with Gauhati University Registration No.016866 of 2007-2008 and he took admission in the said course in the year 2018. Though the

petitioner has been appearing in all the earlier examinations, however, for the forthcoming LL.M Second Semester Examinations, due to Covid-19

pandemic, he could not fill up the form in time and the last date for filling up of the form has already expired on 10.04.2021. He submits that his

representations to the concerned authorities have not elicited any positive response from the authorities and accordingly, has approached this Court.

8. It has been submitted that if the petitioner is not allowed to take part in the ensuing LL.M Second Semester Examinations, he will suffer irreparable

loss as he will be put to a serious disadvantageous position as regards the timely completion of his LL.M course.

9. This Court, having considered the matter and after hearing learned counsel for the parties, directs the respondents that the petitioner be allowed to

appear in the ensuing LL.M Second Semester Examinations commencing from 04.06.2021. The petitioner shall, accordingly, submit the duly filled

forms/applications and also pay the requisite examination fees within a period of seven days from today, even of the examinations commence. It is also

made clear that the results of the examinations of the petitioner shall not be declared without leave of this Court.

10. As to the concern of Mr. Phukan, learned Standing Counsel, Gauhati University, as to whether the petitioner will be entitled to appear in the

subjects of which the examinations are conducted, it is made clear that is an aspect this Court will decide later. However, the petitioner may be

allowed to appear in the LL.M Second Semester Examination for the time-being in such subjects as he may seek to appear.

11. List the matter again on 18.06.2021.