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**(2007) 11 UK CK 0033**

**In the Uttarakhand High Court**

**Case No :** Civil Writ Petition No's. 602 and 642 of 2006 and 321 and 1796 of 2007 (M/S)

Rohani Kumari Sahu

APPELLANT

Vs

State of Uttarakhand and Others

RESPONDENT

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**Date of Decision :** 16-11-2007

**Acts Referred:**

Uttar Pradesh Intermediate Education Act, 1921 — Section 5

**Citation :** (2007) 4 UC 80

**Hon'ble Judges :** Prafulla C. Pant, J

**Bench :** Single Bench

**Advocate :** B.S. Khanka, in Civil Writ Petition No. 1796 of 2007 M/S, Navneet Kaushik, Civil Writ Petition Nos. 602 and 642 of 2006 M/S and Vinod Nautiyal, Civil Writ Petition No. 321 of 2007 M/S, for the Appellant; B.D. Upadhyaya, for Respondents Nos. 2 to 4 in Civil Writ Petition Nos. 1796 of 2007 (M/S), J.P. Joshi, in Civil Writ Petition Nos. 602 and 642 of 2006 and 321 of 2007 (M/S) and Latil Sharma, in Civil Writ Petition No. 642 of 2006, for the Respondent

**Final Decision :** Dismissed

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**Judgement**

Prafulla C. Pant, J.—In all these four writ petitions, a common question is involved as to whether the Pandit examination held by Gurukul Vishwavidyalaya Vrindavan is recognized as equivalent to the Intermediate examination held by the Uttarakhand Madhyamik Parishad, or not? For the sake of convenience, all the four writ petitions are being disposed of, by this common judgment and order.

2. Heard learned Counsel for the parties.

3. The Notification No. F. 7-1/77 - SKT.2 dated 22nd November 1979, issued by Government of India, Ministry of Education and Culture, Department of Education, New Delhi, shows that the equivalence granted to the examinations including Pandit examination held by the Gurukul Brindavan, Mathura, was cancelled.

4. The letter No. U. Shi. Pa. Pa./Inter Examination/27-28/06-07 dated 28th April

2006, issued by Uttaranchal Education and Examination Board, produced by learned Counsel for the Respondent, on the subject which is addressed to the Registrar, H.N. Bahuguna University, Srinagar (Garhwal) clearly shows that the University was informed that the "Pandit Pariksha" held by Gurukul Vishwavidyalaya, Brindavan, is not equivalent to the Intermediate examination held under the U.P. Intermediate Education Act, 1921.

5. The Uttaranchal Education and Examination Board vide another letter No. U.Si.Pa.Pa./Inter/1034/2006 - 07, dated 05-12-2006, addressed to the aforesaid University further clarifies that "Adhikari Pariksha" held by Gurukul Vishwavidyalaya, Brindavan, was recognized, but the "Pandit Pariksha" had not been recognized, at all. (Vide Government Order No. 169/XXIV/2007, Intermediate Education Section 5 dated 27th August 2007, the "Adhikari Pariksha" has also been de-recognized now by the State of Uttarakhand).

6. Apart from this, vide letter No. 17-2/03 -San. Part I dated 3rd of August 2006, issued by the Government of India, Ministry of Human Resources and Development, Department of Higher Education, it is clarified that vide aforesaid Notification dated 22-11-1979, the recognition of the certificates issued by the Gurukul Vishwavidyalaya, Brindavan, Mathura, are already cancelled. This letter is addressed to the Secretary, Uttaranchal Education and Examination Board, Ramnagar (Nainital).

7. Learned Counsel for the Petitioners failed to show any Government Order, Rule or enactment, wherein "Pandit Pariksha" conducted by the Gurukul Vishwavidyalaya, Brindavan, Mathura, is declared to be recognized as equivalent to Intermediate examination.

8. In Writ Petition No. 1109 (M/S) of 2006; Ravindandan Kumar Jain v. State of Uttaranchal and Ors. which was decided by this Court on 19th August 2006, similar issue cropped up and the direction was issued to the State Government to clarify the position as to the Adhikari examination held by the Gurukul Vishwavidyalaya, in the light of the Notification dated 22nd November 1979, issued by the Government of India. In pursuance to said order, it appears that the State Government has issued a G.O. No. 169/XXIV/2007, Intermediate Education Anubhag 5, dated 27th August 2007, wherein it is declared that "Adhikari Pariksha" conducted by Gurukul Vishwavidyalaya, Brindavan is now de-recognized. Learned Counsel for the Respondents pointed out that since the "Pandit Pariksha" was never recognized, as such, there was no question of its de-recognition.

9. In view of the above, the Petitioners are not entitled to the reliefs claimed by them, seeking admission and mandamus to appear in the various examinations conducted by the H.N. Bahuguna Garhwal, University.

10. For the reasons as discussed above, all the four writ petitions are dismissed. (All other applications in these writ petitions also stand dismissed, accordingly).