

(2024) 02 OHC CK 0288

In the Orissa High Court

Case No : Writ Petition (C) No. 4598 Of 2024

Shiladitya Behera

APPELLANT

Vs

State Of Odisha & Others

RESPONDENT

Date of Decision : 29-02-2024

Acts Referred:

Citation : (2024) 02 OHC CK 0288

Hon'ble Judges : A.K. Mohapatra, J

Bench : Single Bench

Advocate : D.D. Mohanty, N.K. Praharaj

Final Decision : Disposed Of

Judgement

A.K. Mohapatra, J

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner as well as learned Additional Government Advocate for the State-Opposite Parties. Perused the Writ Petition as well as the documents annexed thereto.
3. The Petitioner has approached this Court by challenging the decision of the Deans Students' Affairs, Sri Sri University, Cuttack, Odisha whereunder the Petitioner has been imposed some penalty by the Disciplinary Committee of the University in question.
4. Learned counsel for the Petitioner in course of his argument submitted that some complaints were lodged against the present Petitioner which was inquired into by the Disciplinary Committee and accordingly the Petitioner was imposing punishment.
5. On perusal of the E-Mail dated 21.02.2024, it appears that the Petitioner has been imposed with a punishment of suspension from all academic activities of the University for three months. On a close scrutiny of E-Mail 21.02.2024, it

appears that while imposing the aforesaid punishment the Deans Students' Affairs has also been mentioned that the Petitioner may be allowed to join the academic activities only if the University receives an undertaking from the parents that the Petitioner will not indulge in such activities in future. Accordingly, a warning has been given to the Petitioner in respect of indiscipline activities. He has also been expelled from the hostel w.e.f 01.03.2024.

6. On a careful examination of the subject matter of the present writ application, this Court is of the considered view that the order has been passed under the relevant Anti-Ragging Regulation of the university. Considering the seriousness and gravity of the issue involved in the present writ application and further keeping in view the fact that an appeal has also been provided under the aforesaid Anti-Ragging Regulation to the Vice Chancellor of the University, this Court deems it proper to dispose of the writ application by directing the Petitioner to approach the Vice Chancellor of the University by filing an application. In such eventuality, the Vice Chancellor of the University shall do well to consider the case of the petitioner, subject to the Petitioner as well as his parents furnishing an undertaking as has been given in E-Mail dated 21.02.2024. The Vice Chancellor has passed an order taking a lenient view in the matter, considering the fact that the Petitioner is a student as well as the gravity of the allegation against him. Let the petitioner approach the Vice Chancellor within a week from today along with a certified copy of today's order. In such eventuality, the Vice Chancellor of the University shall pass the final order in terms of the directions given hereinabove.

7. With the aforesaid observations/ directions, the writ application stands disposed of.

8. Issue urgent certified copy of this order as per rules in course of the day.

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