

(2016) 11 KAR CK 0053

In the Karnataka High Court

Case No : Writ Petition No. 27310 of 2016 (Edn-Ex) c/w Writ Petition No. 27960 of 2016 (Edn-Ex) c/w Writ Petition No. 30603 of 2016 (Edn-Ex)

Smitha S.

APPELLANT

Vs

Visvesvaraya Technological University

RESPONDENT

Date of Decision : 14-11-2016

Acts Referred:

Constitution of India, 1950 — Article 226

Citation : (2017) 1 AirKarR 296

Hon'ble Judges : Mr. B. Veerappa, J.

Bench : Single Bench

Advocate : Served, for the Respondent No. 3 in Writ Petition No. 30603 of 2016; Sri. Veerabhadra Swamy H.P., Advocate, for the Petitioner in Writ Petition No. 27310 of 2016; Sri. Santhosh S. Nagarale, Advocate, for the Respondent Nos. 1 and 2 in Writ Petition No. 27

Final Decision : Disposed Off

Judgement

B. Veerabhadra Swamy, J. - The question involved in all these writ petitions is similar. Hence all the writ petitions are disposed of by a common order.

2. The petitioners in all these writ petitions are studying Engineering Course in different semesters in different colleges under regular/lateral category. The petitioners in some of the writ petitions have sought for a writ of mandamus directing the respondent - University to announce their B.E. Semester results. In some of the writ petitions, the petitioners have sought for a writ of mandamus directing the respondent - University to permit them to take up their respective B.E. Semester examinations in terms of the Notification dated 27th October, 2016 issued by the respondent-University.

3. In these writ petitions, the petitioners have sought for quashing Regulation OB 6.2 of the Executive Council of the respondent University. Learned counsel for the petitioners submits that they are not pressing the said prayer. Accordingly, Writ Petitions are dismissed as not pressed insofar as the said prayer is

concerned.

4. It is the case of the petitioners that they have joined the Engineering Course in different institutions from the year 2006 and onwards. According to the petitioners, the Principals of the Institutions where they were admitted have not permitted them to take examination of different Semesters of Engineering Course and also not announced the results of different Semesters of Engineering Course to which they have already appeared. The Principals of the Institutions have not permitted them to appear for examination on the ground that the candidates who have admitted Engineering Course under regular category shall complete the course within a period of eight years from the date of first admission and the candidates who have admitted the Engineering Course under lateral entry scheme shall complete the course within a period of six academic years from the date of their admission and since the said period of eight/six years is completed in case of the petitioners, they are not eligible to appear for the examination and on the same ground, the results were also not announced. Since the respondent - University has not permitted the petitioners to take up examination of their respective semesters, the petitioners have approached this Court for the reliefs sought for.

5. This Court by the interim orders on different dates directed the respondents to receive the fees from the petitioners for appearing in the examinations of respective subjects in different semesters subject to the result of the writ petitions and also directed the respondents not to declare the results of the petitioners without the permission of the Court.

6. I have heard the learned counsel for the parties to the lis.

7. Sriyuths G C. Shanmukha and Veera-bhdara Swamy, the learned counsel for the petitioners in these writ petitions reiterating the grounds urged in the writ petitions, pray for allowing the writ petitions.

8. Per contra, Sri. Santosh S. Nagarale, learned counsel for the respondent-University filed memos in these writ petitions along with the notification dated 27.10.2016 issued by the respondent-University to the effect that the respondent - University after due discussion and consultation and in the interest and welfare of the students, has issued notification dated 27.10.2016 and has resolved to provide two additional years to UG students and one additional year to PG students and has extended the maximum duration by two years to complete the course for the students who have been admitted from the academic year 2006-07. He prays for disposal of the writ petitions in terms of the notification dated 27.10.2016.

9. The notification dated 27.10.2016 issued by respondent-University clearly indicates that two additional years are provided to B.E./B.Tech/B.Arch students, both regular and lateral entry (B.E./B.Tech), admitted during the academic years 2006-07, 2007-08, 2008-09 and 2009-10. The years of benefit granted to complete the degree and the last exam permitted are stated in the Table No. 1.

Further two additional years are provided to the B.E./B.Tech students admitted during 2010-11 under lateral entry category only. The years of benefit granted to complete the degree and the last exam permitted are stated in the Table No.1. The Table No. 1 is extracted below for ready reference.

Sl. No.

Programme

Year of Admission

Year Of Completion Of Maximum Duration

Additional Years Of Benefit Granted

Last Exam Permitted to Complete the Degree Without Any Arrears

1

a) B.E./B.Tech (Regular and Lateral Entry)

2006-07

2013-14

2016-17 and 2017-18 (two years)

July 2018

2007-08

2014-15

2008-09

2015-16

b) B. Arch (Regular)

2009-10

2016-17

2017-18 and 2018-19

July, 2019

2

B.E./B.Tech (Only and Lateral Entry)

2010-11

2015-16

2016-17 and 2017-18

July, 2018

10. In view of the notification dated 27.10.2016 granting extension of two additional years to the UG students and one additional year to the P.G students, the petitioners are entitled for the relief sought in the present writ petitions.

11. For the reasons stated above, the respondent - University is directed to announce the results of the petitioners in respect of each of the subjects in different semesters in which they have attended the examination in pursuance of the interim orders passed by this Court and also to permit the petitioners to take up B.E. Semester examinations and complete the Course within the duration prescribed in the Notification dated 27th October, 2016 issued by the respondent - University.

Accordingly, the writ petitions are disposed of.