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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

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*Reserved on: 08.07.2024*  
*Pronounced on: 22.07.2024*

+ **W.P.(C) 9065/2018**

SH. RITESH KUMAR .....Petitioner

Through: Mr. Amit Kumar, Advocate.

versus

JAWAHARLAL NEHRU UNIVERSITY .....Respondent

Through: Ms. Monika Arora, CGSC  
with Mr. Subhrodeep Saha,  
Advocate.

**CORAM:**  
**HON'BLE MS. JUSTICE SWARANA KANTA SHARMA**

### **J U D G M E N T**

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### **SWARANA KANTA SHARMA, J.**

1. The present writ petition has been filed by Sh. Ritesh Kumar, assailing a decision of the Academic Council of respondent no. 1 i.e. Jawaharlal Nehru University (*'the University'*).
2. In its 144<sup>th</sup> (B) meeting held on 01.12.2017, the Academic Council of the University had overturned a recommendation dated 07.04.2017 of the 90<sup>th</sup>(B) Special Committee Meeting of the School of Environmental Sciences. However, the petitioner's grievance is that the Special Committee in its meeting had favorably recommended his request for de-registration from the programme of Doctor of Philosophy (*'Ph.D.'*), which was effective from 21.11.2016, under Clause 24 of the University's 'Ordinance relating to the Award of Degree of Doctor of Philosophy' (*'the Ordinance'*).
3. The petitioner now seeks judicial intervention to reinstate his admission in the Ph.D. program, followed by a formal de-registration, in accordance with the recommendations of the Special Committee Meeting, and prays that the decision of the Academic Council dated



01.12.2017 be quashed as the same has been passed without application of mind.

#### **FACTUAL BACKGROUND**

4. Facts, which are relevant for the adjudication of the present petition, are that the petitioner Mr. Ritesh Kumar had enrolled in the Ph.D. program at Jawaharlal Nehru University on 22.07.2015. His Ph.D. Synopsis was approved by the Special Committee of the concerned School on 04.04.2016, within just one year of joining the course, which according to the petitioner is a noteworthy achievement, given that most of the students often take two years to receive such approval.

5. The petitioner further states that in the meantime, he was selected for the post of Assistant Scientist (Forestry) at the Haryana Space Applications Centre, Department of Science & Technology, Government of Haryana. He emphasizes that the nature of his work as an Assistant Scientist (Forestry) closely aligns with the requirements of his Ph.D. research. Therefore, upon securing this position, the petitioner had applied for de-registration from his Ph.D. program in November 2016, with the intention of resuming his doctoral studies alongside his job at a later stage.

6. According to the petitioner, his de-registration request was initially considered by the Doctoral Research Committee (***DRC***) in a meeting held on 16.03.2017. The DRC had made favorable recommendations, noting that his employment as a scientist would



significantly aid him in achieving the objectives of his doctoral research.

7. The petitioner's case was subsequently reviewed by a Special Committee of the concerned School, which included professors and doctors from within the University as well as from Indian Institute of Technology, Delhi. In the 90<sup>th</sup>(B) Special Committee meeting held on 07.04.2017, the Committee recommended the petitioner's case to the Academic Council of the University as an exceptional case under Clause 24 of the Ordinance. This recommendation was documented in the Committee's report dated 22.05.2017.

8. However, the petitioner asserts that in the 144<sup>th</sup>(B) meeting held on 01.12.2017, the Academic Council of the University inexplicably struck down the recommendations of the Special Committee in respect of the present petitioner, without providing any cogent reasons. The decision of the Academic Council, in respect of the petitioner, reads as under:

**“08. Considered the decision of 90" (B) Special Committee meeting of the School of Environmental Sciences held on 7th April 2017 (item No. 10) in respect of Mr. Ritesh Kumar, Ph.D. student, and;**

After detailed deliberations, it was resolved not to accede to the 90th (B) Special Committee meeting of the School of Environmental Sciences held on 7 April 2017 (item No. 10) in respect of the case of Mr. Ritesh Kumar, ex-Ph.D. student for permitting de-registration to him from Ph.D. programme on account of his not having completed the minimum prescribed residency period of two year for de-registration under clause 8.2 Ph.D. Ordinance.”



9. The petitioner, therefore, now seeks quashing of the above-referred decision of the Academic Council of the University.

### **SUBMISSIONS BEFORE THIS COURT**

#### **Submissions on behalf of the Petitioner**

10. Learned counsel appearing on behalf of the petitioner contends that the Academic Council of the University has passed the impugned order without providing any cogent reason for disregarding the recommendations of the Special Committee, or for denying the petitioner, the permission to de-register from the Ph.D. program, under Clause 24 of the Ordinance.

11. It is argued that the petitioner has a strong case on merit, for the purpose of qualifying as an exceptional case under Clause 24 of the said Ordinance. It is stated that the DRC of the University, in its meeting held on 16.03.2017, had recommended waiving the residential period of two years, as required under Clause 8.2 of the Ordinance, to facilitate the petitioner's de-registration from the Ph.D. program. The DRC had noted that the petitioner's employment as an Assistant Scientist would significantly aid in achieving the objectives of his doctoral research, which involves the use of satellite data for studying regions primarily in Haryana and Punjab.

12. Further, it is submitted that the Special Committee of the concerned School, in its meeting held on 07.04.2017, had forwarded the petitioner's case to the Academic Council with a recommendation to consider it as an exceptional case under Clause 24 of the



Ordinance, which means that the Special Committee had recommended that the petitioner be allowed to de-register from the Ph.D. program.

13. It is argued that the petitioner's academic and research distinctions are of national importance, and it would be a significant loss, to both him personally and to the nation, if he is not allowed to complete his Ph.D. program due to technical hindrances. It is emphasized that merit should prevail over technicalities, which is why Clause 24 of the Ordinance exists to accommodate exceptional cases. The petitioner argues that his case epitomizes such an exceptional circumstance and deserves the consideration and relief sought through the present petition.

#### **Submissions on behalf of the University**

14. Learned Standing Counsel appearing on behalf of the University i.e. respondent no. 1 submits that the petitioner herein had enrolled himself in the Ph.D. program offered by the University, in the Monsoon Semester on 22.07.2015. It is stated that as per Clause 8.1 of the Ordinance, it is mandatory for a candidate to complete a minimum two years of 'residency'. It is submitted that the petitioner has, admittedly, not completed his residency period of two years, as mandated under Clause 8.1 and rather, he had applied for and accepted the post of Assistant Scientist (Forestry) at Haryana Space Applications Centre on 15.11.2016, which is in violation of the said rule. It is further argued that the petitioner was employed at Panchkula, Haryana which is situated outside Delhi, and therefore he



has also violated Clause 10 of the Ph.D. Ordinance, according to which no one is allowed to take employment outside Delhi, before completion of minimum period of 'residency'.

15. It is further argued that Clause 24 of the Ordinance provides that in exceptional circumstances and on the recommendations of the concerned Committee, the Academic Council can in its discretion relax any of the provisions of the Ordinance, except the CGPA requirements. It is stated that the petitioner's case was considered by both the Special Committee of the School of Environmental Sciences as well as the Academic Council of the University. The Special Committee in its meeting held on 07.04.2017 in part (B), item no.10, had resolved to recommend the case of the petitioner to the Academic Council. However, the Academic Council after considering the case of the petitioner in its 144<sup>th</sup> meeting held on 01.12.2017 had decided not to de-register the petitioner from the Ph.D. program.

16. In this regard, learned Standing Counsel for the University argues that Clause 24 of the Ordinance vests discretionary power with the Academic Council to agree or disagree with the recommendation of the Special Committee, and thus, the Academic Council was not bound to accede to the recommendation of Special Committee to allow the petitioner to de-register from the Ph.D. program. It is further contended that the administrative decisions of the University cannot be challenged before Courts and the same being policy matters of the University, the Courts have no power to interfere with the same.



17. Therefore, it is prayed on behalf of the respondents that the present petition be dismissed.

### **ISSUES IN QUESTION**

18. The issue before this Court is as to whether the impugned order dated 01.02.2017, passed by the Academic Council of Jawaharlal Nehru University during its 144<sup>th</sup>(B) meeting, is liable to be set aside on the ground that it allegedly lacks any cogent reasons for striking down the recommendation of the 90<sup>th</sup>(B) Special Committee meeting held on 07.04.2017, *qua* the petitioner.

19. It also is an issue of importance to consider and adjudicate as to whether this Court's interference with the decision of the Academic Council will directly impact the academic discipline at large in the University.

### **ANALYSIS & FINDINGS**

**Whether there were any exceptional circumstances warranting exercise of discretion under Clause 24 of the Ordinance in favour of petitioner by the Academic Council?**

20. Having heard the learned counsels for the parties and perused the material on record, this Court notes that the petitioner herein had enrolled in the Ph.D. program at Jawaharlal Nehru University on 22.07.2015. The synopsis submitted by the petitioner was approved by the Special Committee of the School of Environmental Sciences in April, 2016. Further, the petitioner was also receiving Rs. 8,000/- as scholarship for pursuing his Ph.D. Course. It is not disputed by the





petitioner himself that in the meantime, he had applied for the post of Assistant Scientist (Forestry) in Haryana Space Applications Centre, Department of Science and Technology, Government of Haryana and was selected for the said post. It is also not disputed that only after getting his appointment letter, the petitioner had applied for de-registration from the Ph.D. program in November, 2016.

21. At this juncture, it will be crucial to note that as per Clause 8.1 of the 'Ordinance relating to the award of the degree of Ph.D.', no candidate is permitted to submit his Ph.D. thesis unless the student has pursued the said program, at the University, for a period of not less than two years. Clause 8.2 further stipulates that a student shall be permitted to de-register from the Ph.D. program only after completing the two-year 'residency' period prescribed in Clause 8.1. For reference, these Clauses are reproduced hereunder:

**“8.1** No candidate shall be permitted to submit his/her thesis for the Ph.D. Degree, unless he/she has pursued the said program of research at the University for not less than two years after confirmation of his/her admission.

Provided that the residency period for the M.Phil/Ph.D. students whose admission to the Ph.D. programs has been confirmed from the date of award of M.Phil., the residency period of two years shall be counted from the date of submission of M.Phil, dissertation.

Provided further that in case of M.Phil/Ph.D. students whose admission to Ph.D. Programme has been confirmed after the completion of course work with requisite CGPA the residency period shall be counted from the date of confirmation of admission to the Ph.D. programme by the CASR/Special Committee of the Schools/Special Centres.

**8.2** A student shall be permitted to de-register from the Ph.D. programme only after complete of two years residency period as prescribed in Clause 8.1.”



22. Furthermore, Clause 10 of the Ordinance prohibits candidates, admitted to the Ph.D. program, from undertaking any employment before completing the minimum residency period, unless they are engaged in teaching and research at a recognized institution in Delhi. Clause 10, for reference, is extracted hereunder:

“...Before completing the minimum period prescribed in clause 8, no candidates admitted to course of research for the Ph.D. degree shall:

(a) Undertake any employment:

Provided that those engaged in teaching and research in recognized institution located in Delhi may be exempted from the limitation of this sub-clause:”

23. It is an admitted fact that the petitioner had not completed his minimum ‘residency’ period of two years when he had applied for, and had secured, the job of Assistant Scientist at the Haryana Space Applications Centre, and when he had applied for de-registration from Ph.D. program, i.e. in the month of November, 2016. This Court is of the opinion that by doing such acts, the petitioner has violated Clause 8.1 and 8.2 of the Ordinance.

24. Furthermore, as noted above, the petitioner had taken up employment in Haryana Space Applications Centre, which is situated in Panchkula, Haryana, before the completion of minimum residency period of two years. Therefore, the petitioner’s employment in Haryana, which is outside Delhi, is in clear violation of Clause 10 of the Ordinance.



25. However, the records of the case reveal that the petitioner's case was considered first by the DRC in its meeting on 16.03.2017, and a recommendation was made for waiver of two-year residential period requirement, to enable the petitioner to de-register from Ph.D. program and to again register with the University at a later stage. Thereafter, in the 90<sup>th</sup> meeting dated 07.04.2024, the case of the petitioner was considered by the Special Committee, which had also recommended and forwarded the case of the petitioner to the Academic Council, for consideration as an exceptional case under Clause 24 of the Ordinance. The recommendation of the Special Committee, in item no. 10 i.e. with respect to the petitioner, reads as under:

**“Item No. 10.** The Committee considered the request for permitting the de-registration of Mr. Ritesh Kumar, a Ph.D student, from the Ph.D Programme wef 21.11.2016, on the recommendations of the Supervisor of the student, under Clause 24 of the Academic Ordinance of the University. He was enrolled in the Ph.D programme w.e.f. 22.07.2015 and his Ph:D synopsis was approved by the Special Committee of the School on 4th April, 2016. However, he could not complete the required residency period of two years for deregistration under Clause 8.2 of the ordinance, as he joined the post of Assistant Scientist (Forestry) at HarSAC (Haryana Space Application Centre), Hisar, Haryana. The matter was deliberated, discussed and the committee decided to recommend and forward the request with a reason based on the DRC Report dated 16/03/2017 for consideration in the Academic Council of the University.”

26. While the Special Committee had recommended the petitioner's case, the Academic Council, in its 144<sup>th</sup> meeting held on 01.12.2017, had resolved not to de-register the petitioner from the



Ph.D. program, in view of his violation of the clauses of the Ordinance. The resolution of Academic Council reads as under:

**“08. Considered the decision of 90” (B) Special Committee meeting of the School of Environmental Sciences held on 7th April 2017 (item No. 10) in respect of Mr. Ritesh Kumar, Ph.D. student, and;**

After detailed deliberations, it was resolved not to accede to the 90th (B) Special Committee meeting of the School of Environmental Sciences held on 7 April 2017 (item No. 10) in respect of the case of Mr. Ritesh Kumar, ex-Ph.D. student for permitting de-registration to him from Ph.D. programme on account of his not having completed the minimum prescribed residency period of two year for de-registration under clause 8.2 Ph.D. Ordinance.”

27. Learned counsel for the petitioner has relied on Clause 24 of the Ordinance, which allows the Academic Council, in exceptional circumstances and on the recommendations of the concerned Committee, to relax any of the provisions except those prescribing CGPA requirements. **Clause 24** of the Ordinance reads as under:

“Notwithstanding what is contained in the Ordinance, the Academic Council may in exceptional circumstances and on the recommendations of the Committee for Advanced Studies and Research concerned or an appropriate Committee and the Board of the School as well as on the merits of each individual case consider, it is discretion and for reasons to be recorded relaxation of any of the provisions except those prescribing CGPA requirements.”

28. However, after giving thoughtful consideration to the rival contentions raised on behalf of both the parties, **this Court is of the opinion** that the decision dated 01.12.2017 of the Academic Council of the University is within the purview of the discretionary powers



vested in the Council by virtue of Clause 24 of the Ordinance. It is pertinent to note that Clause 24 confers discretionary power on the Academic Council, and this discretion does not impose a duty on the Council to grant such relaxation in each and every case. Moreover, being the highest academic body of the University, the Academic Council is not bound by the decision or recommendation of the Special Committee(s), and the Council, after considering every case placed before it, has the authority to either grant the relaxation of any rule sought by a student or reject any such prayer, independent of the recommendation of any Committee.

29. This Court has also gone through the observations of the Special Committee, which had recommended the case of petitioner to the Academic Council. However, this Court is of the opinion that the highest authority of the University with whom the final discretion lies with, to decide the issue in question, is the Academic Council, which already has observed that no case for allowing de-registration of the petitioner is made out.

30. Moreover, **in this Court's opinion** too, the petitioner has apparently violated the mandatory Clause 8.1 and 8.2 of the Ordinance, as he has not completed the mandatory period of two years of residency as he was required to under Clause 8.1 and 8.2 of the Ordinance. Further, he has also violated Clause 10 of the Ordinance as he had taken employment in an institution outside Delhi i.e. in Haryana, though as per mandate of clause 10 of the Ordinance, he could not have done so.



31. Furthermore, neither during the course of the arguments nor in the petition has the petitioner given any reasons as to what were the exceptional circumstances due to which he had violated the above Clauses of the Ordinance, and more importantly, why despite such violation by himself, he should be given any preferential or exceptional treatment.

32. Thus, **this Court is of the view** that the petitioner has not demonstrated any exceptional circumstances before this Court that would warrant the exercise of discretion, under Clause 24 of the Ordinance, in his favor by either the Academic Council of the University or this Court. The mere fact that the petitioner's employment aligns with his doctoral research objectives does not constitute an exceptional circumstance, sufficient to override the clear provisions of the Ordinance, particularly when the petitioner was aware, or ought to have been aware, that he was violating several mandatory clauses of the Ordinance by which he was bound as a student of the University.

### **Impact of Courts' decisions on Academic Discipline in Universities**

33. The academic policies, rules, regulations, and Ordinances are drafted by academicians and educationists, who are best positioned to determine the optimal policies for educational matters. Pursuing a higher degree, such as Ph.D., requires specialized supervision and thus, the same is supervised by senior educationists with extensive experience and knowledge of the educational field. These experts



understand the intricacies and requirements of guiding students through a full-time doctoral program. To ensure proper conduct of such academic programs and maintain the standards of education, rules and regulations are drafted by the universities.

34. Academic discipline, i.e. a strict adherence to these rules and regulations, is therefore crucial for maintaining integrity and credibility of educational institutions and the courses offered by them.

35. While considering the present case, this Court remains conscious of the fact that the students, who are diligently pursuing their full-time Doctorate courses, while dutifully completing their residency requirements and not taking up employment, cannot be given an impression that they can be placed at par with those who violate the University rules and regulations by flouting the Ordinance. The residency requirement and the prohibition on external employment are designed to ensure that students devote their full attention to their research. However, the present petitioner, who was also receiving a scholarship of Rs. 8,000/-, had chosen to willfully violate these rules of the Ordinance by taking up full-time employment. He now seeks to benefit from his actions of violation by requesting exceptional consideration under Clause 24 of the Ordinance, despite there being no exceptional circumstances justifying grant of such relief.

36. In this Court's opinion, in case the petitioner is granted the relief which he has prayed for, it would amount to opening the doors of the Courts and encouraging others, pursuing different courses and



programs, to violate mandatory rules and regulations of their Universities, with the expectation of obtaining relaxation from the Courts at a belated stage. This would lead to a complete breakdown of academic discipline in the universities. **Thus, the Courts have to consider the broader implications of their decisions, which should not solely focus on individual petitioners but also on the larger academic community. Needless to state, those who diligently follow the rules ought not to be disadvantaged by the actions of those who violate them.**

#### **Academic Pursuits cannot be *sans* Academic Discipline**

37. Academic pursuits cannot be *sans* academic discipline. When a person enrolls in a particular course of study, he also commits to adhering to the established discipline, which is essential for pursuing such studies.

38. It cannot be a matter of convenience, even for a student of higher studies, that he should be allowed to pursue it only as per his convenience and leisure, in clear violation of mandatory terms and conditions, rules or regulations of the University, which enrolls him as a student of the University. **The course that he is pursuing has to be a dutiful pursuit and not something that one will pursue at his leisure**, that too without following the mandatory rules essential to be followed to complete the said course. At times, the duration of a course studied is the essence of it and any subtraction of the time period or schedule will essentially interfere with the basic requirement of the course pursued.





39. **There can be no two views that Schools, Universities and Academic Institutions are not meant to be machines producing individuals whose aim is only to chase marks, courses or degrees, but are meant to be academic institutes of eminence who help the students to pursue their academic pursuits for building a nation through the students/scholars who will be the future of this country.**

40. The academic institutions though are often not considered as one of the pillars of democracy, in this Court's opinion, **educational institutions are definitely a strong pillar of not only the democracy, but the entire country as the country's future depends on the students who are its citizens. The educational institutions do not produce degree holders alone. There is a difference between churning out and being factories producing people with degrees for their own needs, and cultivating good human beings and citizens when they are studying in an academic institute, who will make a strong country.** For this, maintaining academic discipline and standards even at higher levels of studies and research work, both by the universities and its students is of critical importance to the community and the country as a whole.

**Violation of the Mandatory rules: Whether only technical hindrance?**

41. Learned counsel for the petitioner also contended that the academic pursuit of the present petitioner should not be impacted by



the technicalities of the rules and regulations. This Court agrees and is of the opinion that though it may be true that the academic pursuits of a student should not be overshadowed by technicalities of the rules and regulations, at the same time, this Court will be failing in its duty if, in order to be empathetic to the petitioner, it would ignore an **important pillar of academic institutions i.e. the academic and student discipline**. While pursuing academic studies and even higher studies, rules and regulations which are mandatory to be followed are not made to be broken, and the students as well as the Universities have to be bound by those rules and regulations.

42. The Universities are also known by the academic discipline and excellence they maintain as academic institutions. The rules and regulations that bind a student to the course they are pursuing are not mere technicalities but essential aspects of academic discipline. When a student enrolls and agrees to these conditions at the time of admission he understands and agrees that any violation of these rules will invite necessary consequences. More so, these course rules must be followed, as universities are committed to maintaining Administrative Academic Discipline. Similarly, students must adhere to these rules, upholding their own academic discipline.

43. In case the Courts will hold and consider that violation of these regulations of the Ordinances by which at the time of his admission, the student had bound himself to, are mere technical hindrances though in clear violation without any exceptional reasons of the Ordinance, the student cannot come to the Court and argue that the



violation of the rules was not academic indiscipline and non-following of mandatory rule, but be labeled as technical hindrance.

**Higher studies : Higher responsibility : Higher academic standard**

44. A person pursuing higher education such as a Doctorate is a pursuit that commands respect due to its rigorous academic standards and significant impact on personal and professional development. Institutions of higher learning, such as universities and colleges, are esteemed for their commitment to advancing knowledge, fostering critical thinking, and promoting innovation, while maintaining strict adherence to its rules and regulations.

45. Similarly, pursuing a Ph.D. is driven by a combination of a student's desire for advanced knowledge, career aspirations, personal and intellectual growth, and the aim to contribute to society through original research and discovery in one particular academic discipline.

46. **To impart this level of high education, it is essential that these institutions uphold high standards in all aspects of their operations. This includes stringent admission criteria, a robust curriculum, dedicated faculty, and a commitment to academic integrity.** Higher education involves not only rigorous academic instruction but also the **cultivation of discipline** across various dimensions. This discipline manifests in the commitment to scholarly excellence, ethical behavior, and personal responsibility. Universities and colleges set high standards for attendance, punctuality, and engagement, fostering an environment where students pursuing Ph.D.



learn to manage their time effectively and prioritize their research. It is for this reason that there are always few seats available for pursuing research in most academic institutions. A person who after successfully crossing each step of getting admission into a Ph.D. leaves it mid-way without any cogent reason in violation of various clauses of the Ordinance, he was bound by, rather also wastes a seat for another candidate who may have wanted to pursue it more seriously devoting entire time to the research.

47. Therefore, such specialized higher educational pursuits demand higher focus, devotion and academic discipline. Such higher pursuits also demand that the student be bound by all the terms, conditions, rules, and regulations set by the University.

#### **Empathy cannot overshadow academic discipline and policy**

48. The Courts cannot ignore the aforesaid aspects while passing orders, as **a misplaced sympathetic order in one case may go a long way in disturbing academic discipline of a university**, and many more cases of non-compliances and violations of mandatory rules and regulations by students may affect the institution as a whole.

49. In case the Universities violate what is mandatory for them to follow, a case can be decided against them, and conversely, in case a student is found violating such rules or regulations for which there is no justification, **only an empathetic approach cannot be the sole ground to pass an order in favour of the student.**



50. Allowing exceptions in the absence of genuinely exceptional circumstances would undermine the standards set forth by a university, and encourage non-compliance of the mandatory rules and regulations. Thus, **judicial interference in academic policy matters**, particularly when a student has willfully violated mandatory clauses of the Ordinance, would be **detrimental to and would undermine the essential academic discipline** which is crucial for any educational institution.

### **Conclusion**

51. In conclusion, this Court notes that in matters of education and academic administration, the opinion of experts and the decisions of academic bodies are to be given considerable weight. The Academic Council of Jawaharlal Nehru University, being the highest academic body of the University, has the authority and expertise to make decisions regarding academic regulations as well as exceptions thereto. The Council's decision to uphold the requirements of minimum period of residency and prohibition of employment outside Delhi before the completion of the residency period was made after due consideration of the facts and circumstances. **It is not for this Court to substitute its judgment for that of the academic experts**, especially when there is no ground to hold that the decision under challenge before this Court was arbitrary, capricious, or made without application of mind.

52. When the Ordinance in question had been drafted, exceptional difficulties or circumstances which a student may face while pursuing



a course must have been considered, which has resulted into drafting of clause 24 of the Ordinance. However, a student has to make out a case in his favour, to be covered under the exception clause. **Mere existence of exception clause does not mean that every case, even without an exceptional cause, has to be treated as exceptional case, to be covered under exception clause.**

53. In order to ensure that the academic excellence standards are maintained by the academic institutions, academic standards are laid down according to their wisdom and should not be lightly interfered with by the Courts of law who are not specialized in the field of education. To hold that any violation of the mandatory clause of the Ordinance should be ignored by the Academic Council without there being any reasons, will be a dangerous trend and will be lightly setting aside and quashing the decision of the Academic Council.

54. This Court is therefore not inclined to interfere with the decision of the Academic Council, which is composed of eminent individuals including the worthy Vice-Chancellor of the University, Deans of Schools, and the Chief Proctor. These persons of eminence have already considered the petitioner's case and resolved not to grant the requested relief to the petitioner, considering the violations of the Ordinance.

55. In light of the foregoing discussion, this Court finds no merit in the present petition. The decision of the Academic Council of the University to deny the petitioner's request for de-registration from the Ph.D. program is upheld. However, the petitioner herein can



enroll/seek fresh admission as per rules in the Ph.D. program, in case he so desires.

56. Accordingly, the present writ petition is dismissed.

57. The judgment be uploaded on the website forthwith.

**SWARANA KANTA SHARMA, J**

**JULY 22, 2024/ns**