



**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

WRIT - C No. - 6314 of 2026

Shashi Prakash And 2 Othes

.....Petitioner(s)

Versus

State Of U.P. Thru. Prin. Secy.Deptt. Of Higher Edu.
Lko. And 3 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Krishan Kanhaya Pal, Pooja Pal
Counsel for Respondent(s)	:	C.S.C., Savitra Vardhan Singh

Court No. - 3

HON'BLE KARUNESH SINGH PAWAR, J.

Heard learned counsel for the petitioners, learned Standing Counsel for the State and Sri Savitra Vardhan Singh, learned counsel appearing for respondent Nos. 2 to 4.

Learned counsel appearing for the University has raised a preliminary objection regarding the maintainability of the writ petition on the ground of availability of an efficacious statutory alternative remedy under Section 68 of the U.P. State Universities Act, 1973, against the impugned expulsion order. It is submitted that the petitioners may avail the said remedy by filing a reference before the Chancellor challenging the impugned order.

In response, learned counsel for the petitioners submits that while passing the impugned expulsion order, the respondents have relied upon the inquiry report dated 21.05.2026, a copy whereof has not been supplied to the petitioners.

On the basis of written instructions, learned counsel appearing for the University submits that the petitioners are habitual offenders and that criminal cases have also been registered against them in the past. It is further submitted that the allegations against the petitioners are serious in nature. A show-cause notice was issued to the petitioners and an opportunity of personal hearing was also afforded to them. Therefore, it cannot be said, at this stage, that the principles of natural justice have been violated.

So far as the non-supply of the inquiry report dated 21.05.2026 is concerned, learned counsel for the University submits that he has no instructions in that

regard as of today. However, he contends that even assuming that a copy of the inquiry report was not supplied to the petitioners, considering the adequate opportunity of hearing afforded to them and the gravity of the allegations involved, the ultimate outcome would have remained the same.

Learned counsel for the petitioners submits that, at present, he does not have instructions regarding the alleged past conduct or criminal antecedents of the petitioners. He prays for and is granted one week's time to file a supplementary affidavit.

Learned counsel appearing for the University shall also file an affidavit on behalf of the University specifically bringing on record as to whether a copy of the inquiry report dated 21.05.2026, on the basis of which the impugned expulsion order has been passed, was supplied to the petitioners.

List this matter as fresh on 22.06.2026.

The fate of the petitioners, so far as the upcoming examination is concerned, shall be subject to the final outcome of the writ petition.

June 11, 2026

Vinay/-

(Karunesh Singh Pawar,J.)