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

+ W.P.(C) 9012/2015

**RAJAT BHATNAGAR & ORS.** ..... Petitioners

Through: Ms. Pritha Srikumar Iyer and Mr.  
Nayantara Narayan, Advocates

versus

**UNION OF INDIA & ORS.** ..... Respondents

Through: Mr. Bhagvan Swarup Shukla and Dr.  
G.L. Bhatia, Advocates for R-1

Mr. Sanjay Jain, ASG with Mr. Anil Kaushik, Mr.  
Shreshth Jain, Mr. Tanmaya Mehta and Mr. Rajul  
Jain, Advocates for R-2

Mr. Apoorv Kurup and Mr. A.C. Boxipatro,  
Advocate for R-3

Mr. Amitesh Kumar and Mr. Shashank Shekhar  
Singh, Advocates for R-4/Mewar University

Mr. Ali Mirza, Advocate for R-5

**CORAM:  
HON'BLE MR. JUSTICE RAJIV SHAKDHER**

**ORDER**

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**06.01.2016**

1. Counter affidavit has been filed on behalf of respondent no.1 to 3.
2. To be noted, respondent no.4 and 5 have not filed their counter affidavits.
3. Mr. Amitesh Kumar, who appears for respondent no.4, says

that he will file his counter affidavit within two weeks after a copy of the counter affidavit filed on behalf of respondent no.3/UGC has been served on him. Respondent no.3/UGC, has prima facie, according to him, made submissions therein which run counter to the stand of respondent no.4.

3.1 Mr. Kurup, who appears for respondent no.3/UGC says that a copy of the counter affidavit filed by the said respondent will be supplied to the counsel for the parties within two days.

3.2 In case other respondents, who have filed their counter affidavit(s), need to file a further affidavit, they will do the needful within ten days of receipt of counter affidavit filed on behalf of respondent no.3/UGC.

3.3 The petitioners will accordingly have liberty to file a rejoinder within three weeks thereafter.

4. Mr. Jain, who appears for respondent no.2, says that in terms of order dated 14.12.2015, passed by this court, examinations are being conducted presently.

4.1 Mr. Jain has also placed before me the academic calendar for January 2016 to June 2016. Copies of the same have been supplied to the counsel for the other parties appearing in the matter.

4.2 Mr. Jain says that in view of what is observed in the order dated 14.12.2015, respondent no.2 and 4 should be permitted to continue with the process of imparting education to the petitioners and other similarly circumstanced students in accordance with the academic calendar placed on record before me today.

5. There is no objection raised by all counsels to this protem arrangement. This, of course, is protem arrangement put in place without prejudice to the rights and contentions of respondent no.3/UGC.

5.1 In any event, I tend to agree with the submissions made by Mr. Jain, in this behalf that pending disposal of the writ petition, the students should be imparted learning by respondent no.2 and 4.

5.2 Accordingly, the academic calendar is taken on record. The continuation of classes though, will be without prejudice to the rights and contentions of respondent no.3/UGC.

6. I may also note that respondent no.1/UOI in its counter affidavit, in particular, in paragraph 7 has indicated that a solution is being attempted to be found to enable award of degrees to the students, who got enrolled in the academic years 2012-2013, 2013-2014 and 2014-2015. There is a reference, in fact, in the said counter affidavit to a draft bill being drawn up to get over the present logjam caused due to the stand taken by respondent no.3/UGC, the liability of which is yet to be tested.

7. Mr. Shukla, who appears for respondent no.1, says that he will revert with concrete instructions on the next date of hearing.

8. List on 05.04.2016.

**RAJIV SHAKDHER, J**

**JANUARY 06, 2016**

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