

WPMS No.3610 of 2018

Hon'ble Sudhanshu Dhulia, J.

Mr. R.S. Sammal, Advocate, for the petitioner.

Mr. Piyush Garg, Advocate, for the respondent nos. 1 to 4.

The petitioner is the student of B.Tech course (computer science) and has been expelled from the DIT University, Mussoorie Diversion Road, Dehradun on charges of indiscipline.

The facts of the case are that on 06.10.2018 petitioner along with other students had beaten the students of the same University i.e. DIT University, Mussoorie Diversion Road, Dehradun, so much so that the injured had to be hospitalized and thereafter the first information report was lodged against the petitioner and other students under Section 308, 325, 504 and 506 of IPC, at Police Station Rajpur, District Dehradun. Later 11 students have been expelled by the DIT University, Mussoorie Diversion Road, Dehradun on the basis of an inquiry conducted by the DIT University, Mussoorie Diversion Road, Dehradun. The Inquiry Committee recommended the expulsion of 11 students who were found to be guilty.

Learned counsel for the petitioner – Mr. R.S. Sammal very fairly submitted that he does not deny the alleged incident but considering the fact that what is at stake is the entire career of the petitioner and the punishment imposed upon the petitioner is rather harsh and the case of the petitioner be reconsidered.

Learned counsel for the respondents Mr. Piyush Garg has also very fairly submitted that in case the petitioner files a review petition before the respondent University, the same shall be considered sympathetically.

Let the matter be reconsidered in accordance with law, in case the petitioner files a review petition before the Inquiry Committee.

The petitioner also prays that the examinations are scheduled to be held from 03.12.2018. The petitioner would be at liberty to take a plea in the review petition.

In view thereof, the writ petition stands disposed.

(Sudhanshu Dhulia, J.)
30.11.2018

Nitesh