

Court No. - 35

Case :- WRIT - C No. - 30718 of 2021

Petitioner :- Preeti Mishra

Respondent :- Union Of India, Through The Secretary,
Department Of Higher Education, Ministry Of Human
Resource

Counsel for Petitioner :- Shashwat Anand,Ankur
Azad,Nitinjay Pandey,Rohit Upadhyay,Surya Pratap Singh

Counsel for Respondent :- A.S.G.I.,Kshitij
Shailendra,Prashant Singh Som,Rijwan Ali
Akhtar,S.S.C.,Vinod Kumar Shukla

Hon'ble Ajay Bhanot,J.

Heard Shri Shashwat Anand, learned counsel for the petitioner, Shri Rijwan Ali Akhtar, learned counsel for the UGC, Shri Prashant Singh Som, learned counsel for the Union of India and Shri Kunal Ravi Singh, learned counsel for the University.

The petitioner has assailed the order dated 8.10.2021 issued by the competent authority in the University changing Professor Anupam Dixit her erstwhile Ph.D. supervisor and nominating Professor Girijesh Kumar as her Ph.D. supervisor. The petitioner had enrolled as a Ph.D. candidate in the department of Botany in the Allahabad University on 30.10.2017. The standard of Ph.D. programme are governed by the University Grants Commission (Minimum Standards and Procedure for Award of M.Phil./Ph.D. Degrees)

Regulations, 2016. The duration of the programme being relevant to the controversy provided in Clause-4, which is extracted here as under:

"4.2. Ph.D. programme shall be for a minimum duration of three years, including course work and a maximum of six years."

As per the aforesaid regulation, the petitioner could have completed her Ph.D. programme earliest by 30.10.2020. The Ph.D. supervisor of the petitioner Professor Anupam Dixit, who was supervising her research since her enrolment, superannuated from service on 14.7.2019. Thereafter she was granted extension for the academic session till 30.6.2020. Professor Anupam Dixit was finally engaged as UGC-BSR Faculty in the department for three years, which concluded in January, 2023.

On account of the superannuation of Professor Anupam Dixit, the University lawfully appointed Professor Girijesh Kumar of the department of Botany, Allahabad University, Prayagraj as the Ph.D. supervisor of the petitioner. No fault in the aforesaid appointment can be made.

However, Shri Kunal Ravi Singh, learned counsel for the University, upon instructions, submits that the University intends to facilitate of his Ph.D. scholars

and shall take steps to expedite the processing of the Ph.D. thesis, which the petitioner may submit before Professor Girijesh Kumar.

In view of above, no relief can be granted to the petitioner. However, Professor Anupam Dixit shall be given due credit for his supervision in the thesis.

The writ petition stands **disposed of** in terms of submissions made by Shri Kunal Ravi, learned counsel for the University.

Order Date :- 16.3.2023

LNTripathi