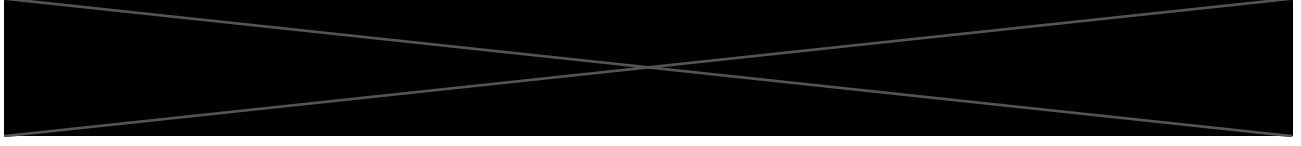




**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**



S.B. Civil Writ Petition No. 6664/2025

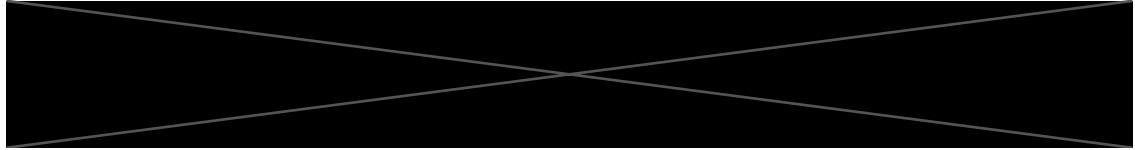


-----Petitioner

Versus

1. University of rajasthan, through vice chancellor, JLN marg, jaipur, rajasthan - 302004.
2. Registrar, University Of Rajasthan, Jln Marg, Jaipur, Rajasthan - 302004.
3. Secretary, University Of Grants Commission, Bahadur Shah Zafar Marg, New Delhi - 110002.
4. Principal Secretary, Department Of Higher And Technical Education, Government Of Rajasthan, Secretariat, Jaipur.

5.



-----Respondents

For Petitioner(s) : Mr.Shobit Tiwari

JUSTICE ANOOP KUMAR DHAND

Order

05/05/2025

Reportable

1. The petitioner, who happens to be the husband of respondent No.5 made a complaint to the respondent-University with regard to alleged act of plagiarism committed by the respondent No.5 at the time of submission of her research thesis.

2. Learned counsel for the petitioner submits that upon the complaint submitted by the petitioner, a notice was sent to the respondent and thereafter, a Committee was constituted to





examine the case of plagiarism in the research submitted by the respondent No.5, the aforesaid order in this regard was passed by the Vice Chancellor on 24.08.2023, but in spite of passing of considerable time, till date, no action has been taken, hence, under these circumstances, the petitioner approached this Court by way of filing this writ petition for issuing writ of mandamus/ appropriate directions to the respondent-University to take action against the respondent No.5.

3. In the considered opinion of this Court, the platform of this Court cannot be used to settle personal scores between the parties. The platform of this Court cannot be permitted to be misused by way of filing such like writ petitions and the same has tantamount to abuse of process of law. The job of the petitioner is over, the moment, the complaint was submitted by him. Thereafter, the respondent-University has constituted a Committee to examine the truth in the allegation, hence, the respondents are expected to proceed further with the complaint in accordance with law.

4. Now, with an oblique motive to settle his personal score, the petitioner has submitted this writ petition. Such act of the petitioner is sheer abuse of the process of law because the law will take its own motion. It is the settled proposition of law that process of law should not be allowed to be misused by a litigant to satisfy his personal grudges and oblique considerations to settle personal scores.

5. The Hon'ble Apex Court in the case of **Gurpal Singh Vs. State of Punjab** reported in **(2005) 5 SCC 136** has held that



that the Court must not allow its process to be abused for oblique considerations by masked phantoms, who monitor at times from behind.

6. In **Subrata Roy Sahara vs. Union of India & Ors.** reported in **(2014) 8 SCC 470**, the Hon'ble Supreme Court in Para 191 observed as under:-

"191. The Indian judicial system is grossly afflicted with frivolous litigation. Ways and means need to be evolved to deter litigants from their compulsive obsession towards senseless and ill-considered claims."

7. Recently, the Hon'ble Apex Court in the case of **Chanchalpati Das vs. The State of West Bengal & Anr.** reported in **(2023) SCC Online 650** has held in para 20 as under:-

"20. We would like to add that just as bad coins drive out good coins from circulation, bad cases drive out good cases from being heard on time. Because of the proliferation of frivolous cases in the courts, the real and genuine cases have to take a backseat and are not being heard for years together. The party who initiates and continues a frivolous, irresponsible and senseless litigation or who abuses the process of the court must be saddled with exemplary cost, so that others may deter to follow such course. The matter should be viewed more seriously when people who claim themselves and project themselves to be the global spiritual leaders, engage themselves into such kind of frivolous litigations and use the court proceedings as a platform to settle their personal scores or to nurture their personal ego"

8. Platform of this Court cannot be used to settle the personal grudges or disputes. If, at all, the petitioner, being husband of the respondent No.5, is having some ill-will against his wife (here, respondent No.5), he shall not be permitted to misuse the process of this Court, by filing the instant baseless writ petition with an ulterior motive to waste the time of other litigants.



9. The instant writ petition is highly misconceived, hence, the same is liable to be and is hereby rejected. All pending application(s), if any, stands dismissed.

(ANOOP KUMAR DHAND),J

Aayush Sharma /363

