



2026:AHC:23724-DB

HIGH COURT OF JUDICATURE AT ALLAHABAD

SPECIAL APPEAL DEFECTIVE No. - 80 of 2026

Harsh Awana

.....Appellant(s)

Versus

Chairman U.G.C. Bahadurshah Zafar Road And 5
Others

.....Respondent(s)

Counsel for Appellant(s)	: Gopal Srivastava
Counsel for Respondent(s)	: Anubhav Singh, Jagdish Pathak, S.C., Pratik Chandra

Chief Justice's Court

HON'BLE ARUN BHANSALI, CHIEF JUSTICE
HON'BLE KSHITIJ SHAILENDRA, J.

1. This appeal is directed against order dated 29.10.2025 passed by learned Single Judge in Writ-C No. 36011 of 2025 whereby though the rustication of the appellant was set aside, certain direction was given, failure to follow which was made a ground for rustication again.
2. Counsel for the appellant made submissions that directions no. (II), which has been passed by learned Single Judge, is not only humiliating for the student, the same would perpetually affect his career, and therefore, the said directions may be set aside.
3. Counsel for the respondent/University supported the impugned order. Submissions have been made that the petition itself was not maintainable, however, taking a humanitarian view, learned Single Judge has passed directions, which do not call for any interference.
4. The appeal is barred by 57 days.
5. An application seeking condonation of delay in filing the appeal has been filed.
6. For the reasons indicated in the application supported by affidavit, the same is allowed.
7. Delay in filing the appeal is condoned.

8. We have considered the submissions made by counsel for the parties and perused the material available on record.

9. While setting aside the rustication, by observing that father of the appellant is a poor farmer and with great difficulty, the appellant is allowed to study with respondent-university and exercising powers under Article 226 of the Constitution, following directions were given :

" (I) Petitioner will file a notarized affidavit before Respondent-University that he will attend 95% of remaining classes and in case of absence he has to submit an application for leave. He will not leave the premises of University during class hours. In case of any further or fresh complaint the Respondent-University is at liberty to rusticate petitioner even without issuing notice.

(II) Petitioner will carry a play card with message that he will never misbehave with any girl. Petitioner will stand at the Gate of University carrying the aforesaid play card for 30 minutes, i.e., from 08.45 AM to 09.15 AM for 30 days commencing from 03.11.2025. The Respondent-University will take a photograph of aforesaid act. In case of default, Respondent-University is at liberty to rusticate petitioner.

(III) Petitioner will also file a written apology for his act before Respondent-University within 72 hours from today.

(IV) The Police Authorities are directed to deploy anti-romeo mobile squad atleast at the time of opening and closing of Gate of Galgotia University and Respondent-University.

(V) Sri I.P. Srivastava, learned Standing Counsel is directed to communicate this order to concerned Police Authorities."

10. While directions no. (I), (III), (IV) and consequential direction no. (V) are justified looking to the conduct of the appellant in having 50% attendance in the earlier academic years, we are firmly of the opinion that nature of direction no. (II), which has been passed by learned Single Judge, is not justified under any circumstances. Direction of such nature wherein the appellant would carry a placard with message that he will

never misbehave with any girl and stand at the gate of the University carrying placard for 30 minutes for 30 days, is not only humiliating but would cast a permanent scar on the character of the appellant, which, in the circumstances of the case, is not called for.

11. In view of the above fact situation, we set aside the direction no. (II) passed by learned Single Judge.

12. If on account of the default clause in direction no. (II), the appellant has again been rusticated, he shall be given one opportunity to do the needful in terms of the direction no. (III) if not already done. On compliance/if already complied with, the rustication shall stand set aside, the appellant shall sincerely follow direction No. (I).

13. With above observations and directions, the appeal stands **disposed of**.

(Kshitij Shailendra, J) (Arun Bhansali, CJ)

February 4, 2026
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