

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**

R/LETTERS PATENT APPEAL NO. 1372 of 2023
In
R/SPECIAL CIVIL APPLICATION NO. 7690 of 2022

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MEHUL SURESHKUMAR CHAMPANERIA

Versus

VEER NARMAD SOUTH GUJARAT UNIVERSITY THROUGH SECRETARY

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Appearance:

MR NK MAJMUDAR(430) for the Appellant(s) No. 1
for the Respondent(s) No. 1

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***CORAM: HONOURABLE THE CHIEF JUSTICE MRS. JUSTICE SUNITA
AGARWAL***

and

HONOURABLE MR. JUSTICE PRANAV TRIVEDI

Date : 13/08/2024

ORAL ORDER

(PER : HONOURABLE THE CHIEF JUSTICE MRS. JUSTICE SUNITA AGARWAL)

1. The only argument pressed into service to challenge the judgment and order dated 03.07.2023 passed by the learned Single Judge is that the action taken by the respondent - University is in violation of the principles of natural justice, *inasmuch* as, that before cancellation of the results of LLB examination of all semesters, of the petitioner by the respondent - University, no opportunity of hearing has been granted. This argument do not detain us for long for the discussion made by the learned Single Judge in paragraphs '8', '8.1.' and '9' of the judgment impugned.

2. Suffice it note that the reason for cancellation of the entire



result of LLB examination of all semesters as noted by the learned Single Judge, which could not be disputed before us, was that the petitioner had secured admission in LLB course in the respondent - University by producing a graduation degree, allegedly obtained from one Shridhar University, Pilani, Rajasthan. The order impugned before the learned Single Judge records that on verification of the mark-sheets of the graduation in Bachelor of Arts of Shridhar University, Pilani, Rajasthan, submitted by the petitioner, it transpired that vide communication dated 02.06.2021 of the Shridhar University that the petitioner was never the student of the said University and the documents attached i.e. mark-sheets etc., were not genuine. This fact came to the knowledge of the Bar Council of Gujarat upon verification of the education testimonials submitted by the petitioner seeking registration with the Bar Council of Gujarat to pursue law practice.

3. When these facts were brought to the knowledge of the respondent - University, it has cancelled the mark-sheet of the petitioner for LLB course, upon intimation given by the Bar Council of Gujarat.

4. The learned Single Judge has, thus, rightly concluded that the petitioner being the perpetrator of fraud cannot seek any indulgence



from the Court, that too on the plea that opportunity of hearing has not been granted to him. When the concerned University on verification of the mark-sheets and other documents had communicated that the petitioner was never admitted in the said University, nor the mark-sheet or other educational certificates of graduation course were issued by it, the purpose of giving an opportunity would be an empty formality, more so, when the communication issued by the Shridhar University, on verification of the documents could not be disputed before the learned Single Judge or before us.

4. The reliance placed on the decision of the Hon'ble Apex Court in the case of ***Board of High School and Intermediate Education, U.P. Allahabad, v. Ghansyam Das Gupta*** reported in ***AIR 1962 SC 1110*** is of no benefit to the petitioner.

5. For the above, the appeal stands dismissed being devoid of merits.

(SUNITA AGARWAL, CJ)

(PRANAV TRIVEDI,J)

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