

ITEM NO.14

COURT NO.6

OUT-TODAY
SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Suo Motu Writ (Cr1.) No.2/2019

IN RE MISSING OF AN LLM STUDENT AT SWAMI
SHUKDEVANAND LAW COLLEGE (SS LAW COLLEGE)
FROM SHAHJAHANPUR U.P.

Petitioner(s)

VERSUS

Respondent(s)

(TO BE TAKEN UP AT 02:00 P.M.)

Date : 04-09-2019 This petition was called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE R. BANUMATHI
HON'BLE MR. JUSTICE A.S. BOPANNA

By Courts Motion, AOR

For Petitioner(s) Ms. Shobha Gupta, AOR (Amicus)
Mr. Joyshree Barman, Adv.
Mr. Abhinav Bansal, Adv.
Mr. Rajinder Kr. Panigrahi, Adv.
Ms. Shomona Khanna, Adv.
Ms. Sumita Hazarika, Adv.
Ms. Khushboo Pareek, Adv.
M/s. Jaimon Andrews, Adv.
Mr. N.P. Rakesh Panikker, Adv.
Ms. Anzu K. Verkey, Adv.
Mr. Rajesh B., Adv.
Ms. Pyoli, Adv.
Ms. Rubina Jawed, Adv.
Ms. Amita Joseph, Adv.
Mr. Kunal, Adv.
Ms. Aarti Krupa Kumar, Adv.
Ms. Anindita Pujari, Adv.
Ms. Ranjana R. Singh, Adv.
Mr. M.P. Singh, Adv.

For Respondent

Mr. Vikramjit Banerjee, ASG
Ms. Aishwarya Bhati, AAG
Ms. Garima Prasad, standing counsel of U.P.

UPON hearing the counsel the Court made the following
O R D E R

Pursuant to Order of this Court dated 02.09.2019, Mr. Vikramjit Banerjee, learned Additional Solicitor General appearing for the respondent-State, has got instruction to submit that Miss "A" who is pursuing her LLM degree in Swami Shukdevanand Law College (S.S. Law College) can be accommodated in Mahatma Jyotiba Phule Rohilkhand University, Bareilly, which is affiliating University for S.S. Law College. It is stated at the Bar that Miss "A" can be accommodated in the hostel of the said University. Learned Additional Solicitor General further submits that brother of Miss "A" who is pursuing his under-graduation course in Law (LLB) can be accommodated in Shreeji Institute of Legal and Vocational Studies, Bareilly. It is stated that the said Shreeji Institute of Legal and Vocational Studies, Bareilly, does not have any hostel; however, it is stated that the brother of Miss "A" can also be accommodated in the hostel attached to the University where Miss "A" is to be accommodated, till both of them complete their respective courses. Learned Additional Solicitor General has fairly stated that whatever fees and other incidental charges that have been paid by Miss "A" and her brother in their respective University/College will be adjusted against the fee payable in the University/College to which they are to be transferred/admitted.

Only practical difficulty expressed by learned Additional Solicitor General is that the admission to LLM course (in Mahatma Jyotiba Phule Rohilkhand University, Barielly,) and LLB course (in Shreeji Institute of Legal and Vocational Studies, Barielly)

respectively are already over and the total sanctioned strength of students have already been filled up.

In this regard learned Additional Solicitor General seeks direction to the Bar Council of India for accommodating Miss "A" and her brother under transfer in the Mahatma Jyotiba Phule Rohilkhand University, Barielly, for LLM course and Shreeji Institute of Legal and Vocational Studies, Bareilly, for LLB course in the peculiar facts and circumstances of the case.

Considering the submissions of learned Additional Solicitor General and in the interest of justice and peculiar facts and circumstances, we request the Bar Council of India to pass appropriate orders to increase the sanctioned strength of seats by one as an exceptional case in the Mahatma Jyotiba Phule Rohilkhand University, Barielly, for LLM course and Shreeji Institute of Legal and Vocational Studies, Bareilly, for LLB course, at the earliest.

In view of above, four weeks' time is granted to Miss "A" and her brother to make an application for admission in the above said institution(s) with a copy marked to the Registrar of the Mahatma Jyotiba Phule Rohilkhand University, Barielly, for LLM course and Shreeji Institute of Legal and Vocational Studies, Bareilly, for LLB course.

We direct SS Law College to issue/transfer all the necessary certificates/documents to the Mahatma Jyotiba Phule Rohilkhand University, Barielly, and Shreeji Institute of Legal and Vocational Studies, Bareilly, to enable Miss "A" and her brother to continue their further studies without delay.

The Registry shall inform All India Women's Conference, "BAPNU GHAR", where Miss "A" is presently residing that Miss "A" has been permitted to go along with her parents to their native place at Shahjahanpur.

Miss "A" and her parents are at liberty to go back to their place of residence at Shahjahanpur, Uttar Pradesh. Delhi Police shall accompany Miss "A" and her parents to their place of residence at Shahjahanpur. Any further direction including with regard to the safety and security, Miss "A" and her parents are at liberty to move the High Court of Judicature at Allahabad.

Suo Motu Writ Petition is accordingly disposed of.

(MAHABIR SINGH)
COURT MASTER

(PARVEEN KUMARI PASRICHA)
BRANCH OFFICER