



**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT  
JODHPUR**

S.B. Civil Writ Petition No. 17599/2024

OPJS University, Churu, Through Chairman And Director Of Opjs Trust Dr. Pawan Kumar S/o Omprakash, Aged About 56 Years, Resident Of House No.549, Ward No.13, Julana, District Jind, Haryana.

-----Petitioner

Versus

1. State Of Rajasthan, Through Secretary, Higher Education, Rajasthan, Shiksha Sankul, Jawahar Lal Nehru Marg, Jaipur.
2. Principal Secretary, Higher Education, Rajasthan, Shiksha Sankul, Jawahar Lal Nehru Marg, Jaipur.
3. Principal Secretary (Group-4), Higher Education, Rajasthan, Shiksha Sankul, Jawahar Lal Nehru Marg, Jaipur
4. Commissioner, College Education, Jaipur

-----Respondents

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For Petitioner(s) : Mr. Vikas Bijarnia with  
Mr. Sunil Fageria  
For Respondent(s) : Ms. Yashvi Khandelwal for  
Dr. Praveen Khandelwal, AAG

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**HON'BLE MR. JUSTICE VINIT KUMAR MATHUR**

**Order**

**09/01/2025**

1. Heard learned counsel for the parties.
2. The present writ petition has been filed against the order dated 21.06.2024 passed by the respondent No.2- Principal Secretary to Government, Higher Education, Rajasthan whereby, the petitioner-University has been stopped from admitting students in all the disciplines.



3. Briefly noted the facts in the present writ petition are that the petitioner-University was created by the Act No.33 of 2013. The petitioner-University is imparting education in a number of disciplines. On certain complaints received by the respondents, the matter was inquired by the Competent Committees/Authorities from time to time. However, the respondents vide order 26.03.2024 dissolved the earlier Committees and constituted a fresh Committee under the Chairmanship of Divisional Commissioner, Sikar to inquire into the irregularities being committed in the petitioner-University. The Inquiry Committee constituted vide order dated 26.03.2024 after inquiry into the matter submitted a report finding number of infirmities and irregularities on the part of the petitioner-University. The respondents considering the report submitted by the Committee, passed an order dated 21.06.2024, whereby, the petitioner-University is restrained from admitting the fresh students in all the disciplines. Hence, the present writ petition has been filed.

4. Learned counsel for the petitioner vehemently submitted that before passing the order dated 21.06.2024, neither a copy of the inquiry report was supplied to the petitioner nor any opportunity of hearing was granted by the respondents. He further submits that the action of the respondents is in gross violation of the principles of natural justice. He, therefore, prays that the writ petition may be allowed and the order dated 21.06.2024 may be quashed and set-aside.

5. Per contra, learned counsel for the respondents vehemently submitted that number of irregularities were committed by the petitioner-University and a number of Committees prior to the



constitution of the present Committee had found that the petitioner-University is involved in granting Degrees *de-hors* the law and other irregularities were also committed by the petitioner-University and, therefore, the State Government had no option but to constitute a High Power Committee vide order dated 26.03.2024 under the Chairmanship of Divisional Commissioner, Sikar. Learned counsel further submits that the report of the said Committee shows that a number of irregularities have been committed by the petitioner. Learned counsel, however, very fairly submits that a copy of the inquiry report has not been supplied to the petitioner. She further submits that before passing the order dated 21.06.2024, no opportunity of hearing was also given to the petitioner. She submits that since the petitioner-University is involved in a number of irregular activities, the order dated 21.06.2024 has rightly been passed. She, therefore, prays that the writ petition may be dismissed.

6. I have considered the submissions made at the Bar and gone through the relevant record of the case including the order dated 21.06.2024 passed by the respondents.

7. The narration of facts mentioned above clearly shows that the petitioner is a University established under the statute and is imparting education in the number of disciplines. On the complaints so received by the respondents, the Inquiry Committees were constituted in the past, however, vide order dated 26.03.2024, the Committee under the Chairmanship of the Divisional Commissioner, Sikar was constituted who had inquired into the matter in detail. The Inquiry Committee has also prepared a report and submitted the same to the State Government. On the



basis of said inquiry, the order dated 21.06.2024 had been passed. Admittedly, the copy of that report has not been served/supplied to the petitioner. It is a settled proposition of law that if any material is used against a person by passing an order adverse to his interest, then the opportunity of hearing is *sine-qua-non*. Further the material which has been relied upon for passing such order is also required to be supplied to the person concerned. Since in the present case, the copy of the Inquiry Report has not been supplied to the petitioner and before passing the order dated 21.06.2024, no opportunity of hearing has been granted by the respondents. Therefore, the action of the respondents is in violation of the principles of natural justice, thus, the order dated 21.06.2024 is not sustainable.

8. In view of the discussions made above, the writ petition merits acceptance and the same is allowed. The order dated 21.06.2024 is quashed and set-aside.

9. However, it will be open for the respondents to take appropriate steps in compliance of the provisions of the principles of natural justice by supplying a copy of the report/entire material adverse to the interest of the petitioner-University and granting an opportunity of hearing before passing a fresh order in the matter.

10. The stay petition as well as other pending misc. applications, if any, stand disposed of accordingly.

**(VINIT KUMAR MATHUR),J**

18-SunilS/-