



HIGH COURT OF JUDICATURE AT ALLAHABAD

SPECIAL APPEAL DEFECTIVE No. - 694 of 2026

Dr. Deepak Sharma

.....Appellant(s)

Versus

State Of U.P. And 6 Others

.....Respondent(s)

Counsel for Appellant(s)	:	Shashank Pandey, Sr. Advocate
Counsel for Respondent(s)	:	C.S.C., Gaurav Tripathi, Shivam Agarwal

Court No. - 29

**HON'BLE SIDDHARTHA VARMA, J.
HON'BLE KUNAL RAVI SINGH, J.**

1. Heard Sri Anil Tiwari and Sri Prabhakar Awasthi, learned Senior Counsel assisted by Sri Shashank Pandey, learned counsel for the appellant, Sri Rahul Agrawal, learned Senior Counsel assisted by Sri Gaurav Tripathi, learned counsel appearing for the University and Sri Shivam Agrawal, learned counsel who appears for respondent nos. 6 and 7 through video conferencing.
2. From the record, we find that the writ petition was filed by the respondent nos. 6 and 7 with the following prayers :-

"A. issue a writ, order or direction in the nature of mandamus commanding Respondent Nos.2 to 5 to take cognizance of and decide the Petitioners complaints dated 20.08.2026, 25.08.2026, 01.09.2026 and 04.09.2026, through independent and properly constituted Equity Committee excluding Respondent No.6 and every person having a direct conflict of interest from the receipt, scrutiny, inquiry, recommendation and decision thereon within a time to be fixed by this Hon'ble Court, and to furnish the inquiry report and a reasoned, action-taken decision to each Petitioner;

B. issue a writ, order or direction commanding Respondent Nos.2 to 4, pending inquiry, to forthwith remove Respondent No.6 of all direct administrative, evaluative, research-related and hostel authority over the Petitioners including any role as Head/Coordinator, Research Cell

functionary or Boys' Hostel Warden or teaching assignments insofar or as it affects them to have Petitioner No.1's synopsis/adverse report and Petitioner No.2's disputed evaluation independently reviewed by unbiased academic experts unconnected with Respondent No.6, without prescribing any predetermined academic outcome, and thereafter to take appropriate disciplinary action in accordance with law if the allegations are established;

C. issue a writ, order or direction commanding Respondent Nos.2 to 5 to preserve forthwith all CCTV footage of the Boys' Hostel and relevant campus areas concerning the incidents dated 25.08.2026 and 01.09.2026, the Warden's inspection/movement records, the hostel entry register, complaint receipts, academic evaluation and synopsis records, emails and all other relevant électronic and physical evidence;

D. issue a writ, order or direction commanding Respondent Nos.2 to 5 to ensure complete protection of the Petitioners and witnesses against retaliation, victimisation, coercion or adverse academic/hostel action on account of the complaints or the present petition, to maintain confidentiality to the extent requested and permissible in law, and to comply with Regulation 8 of the UGC Regulations, 2026 by informing the competent police authority forthwith if the complaint material prima facie discloses an offence under penal law, without this Hon'ble Court expressing any opinion on guilt;

E. issue a writ, order or direction commanding Respondent Nos. 1 to 4 to ensure that the Equal Opportunity Centre, Equity Committee, Equity Helpline, Equity Squads and Equity Ambassadors of Respondent No.2 University are constituted and made functional in full conformity with the UGC Regulations, 2026, with the prescribed representation and public reporting; and

F. issue a writ, order or direction to initiate inquiry in relation to the truthfulness of the press and media reports being published against the respondent no. 2 ;

G. issue a writ, order or direction monitoring the inquiry if any initiated by the University or by the state government by this Hon'ble court and to direct the submission of the same in the time bound manner.

H. Pass any other order or direction which this Hon'ble Court may deem fit and proper in the facts and circumstances of the case."

3. It is the case of the appellant that when the case was taken up, he had not made any concession for fresh inquiry committee to be formed as has been done in paragraph no. 11 of the order impugned dated 16.09.2026.

4. Sri Anil Tiwari and Sri Prabhakar Awasthi, learned Senior Counsels assisted by Sri Shashank Pandey, learned counsels for the appellant have submitted that when there was an Equal Opportunity Cell and when the petitioners in the writ petition themselves were asking for a prayer that the Equal Opportunity Cell itself may inquire into the matter after excluding the appellant herein (respondent no. 6 in the writ petition), then complete outsiders should not have been made to inquire into the matter.

5. Sri Rahul Agrawal, learned Senior Counsel assisted by Sri Gaurav Tripathi, learned counsel appearing for the University submits that at the time when the writ petition was being heard, they did accede to the formation of the committee as has been formed by the Court to ensure fairness and transparency.

6. Sri Shivam Agarwal, learned counsel who appears through Video Conferencing for respondent nos. 6 and 7 in the Special Appeal and who are the petitioners in the writ petition states that even though, he had prayed for an inquiry to be conducted as per the the Equal Opportunity Cell Regulations but because the University had acceded to the Court's proposal for an inquiry to be done by the Judicial Officers, he did not oppose the proposal.

7. Having heard learned counsel for the parties, at this stage we are *prima facie* of the view that when an Equal Opportunity Cell was available in the University and also the prayer was to the effect that the Equal Opportunity Cell itself may inquire into the matter after excluding respondent no. 6 of the writ petition (the appellant herein) then there was

no occasion for getting an inquiry done by the Judicial Officers. Even if the allegations are of a serious nature, the power of the University to examine such allegations through an appropriately constituted Equal Opportunity Cell ought not to have been taken away, as it is within the domain of the University to look into the welfare of the students and deal with situations as they arise. However, we also find that the Inquiry Report has to be submitted by tomorrow i.e. on 24.09.2026.

8. In this view of the matter, we are of the opinion that the Special Appeal be placed as a fresh case on 29.09.2026 before the appropriate Court and if the Inquiry Report has been prepared then it be put in a sealed cover and be placed before this Court for its consideration on the next date fixed. However, since we are *prima facie* of the view that the inquiry should not have been conducted by the Judicial Officers when the Regulation of the University provides for an Equal Opportunity Cell, therefore, we provide that further proceeding in Writ C No. 37012 of 2026 shall remain stayed till the next date of listing of the Special Appeal.

9. After this order was passed, Sri Anil Tiwari, learned Senior Counsel appearing for the appellant prayed that the directions given in paragraph no. 17 be also stayed.

10. As we have only examined the scope of the inquiry and the Regulations, therefore, we deem it appropriate that the said prayer can be examined on the next date of hearing.

11. Put up this case on 29.09.2026 as fresh.

(Kunal Ravi Singh,J.) (Siddhartha Varma,J.)

September 23, 2026

Sumit S