



IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL
THE HON'BLE CHIEF JUSTICE MR. MANOJ KUMAR GUPTA
AND
THE HON'BLE JUSTICE MR. SUBHASH UPADHYAY
Special Appeal No.361 of 2026
3rd September, 2026

Deepak Chandra Upreti

-----Petitioner

Versus

Soban Singh Jeena University and Others

----Respondents

Presence:-

Dr. K.H. Gupta, learned counsel for the appellant.

Mr. C.S. Rawat, Mr. Vaibhav Gupta and Mr. Vivek Kumar, learned counsel for respondent nos.1 and 2.

Mr. Rajeev Singh Bisht, learned Deputy Advocate General for the State of Uttarakhand/ respondent no.3.

Ms. Anjali Bhargava, learned counsel for respondent no.4.

JUDGMENT: (per Mr. Manoj Kumar Gupta C. J.)

1. Heard learned counsel for the parties.
2. The present appeal is directed against the order of learned Single Judge dated 19.08.2026 whereby WPMS No.2522/2026 filed by the petitioner challenging the examination result of Ph.D. Entrance Exam, 2026 of the respondent university and seeking mandamus directing the university to hold entrance exam of Ph.D. 2025-26 for the subject history for remaining 20 seats strictly in accordance with U.G.C. Regulations, 2022 has been dismissed.
3. After hearing learned counsel for the parties on 01.09.2026, the following order was passed:



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"1. The appellant appeared in Ph.D. Entrance Examination 2026 conducted by respondent nos.1 and 2.

2. The case of the appellant is that according to Regulation 5 of the University Grants Commission (Minimum Standards and Procedures for Award of Ph.D. Degree) Regulations, 2022 which are applicable to the respondent university, the University has to admit students to Ph.D. course through an entrance test, the syllabus whereof should consist of 50% questions on research methodology and 50% subject specific questions. However, in the entrance examination conducted for admission to Ph.D., the entire paper was from history subject.

3. The learned Single Judge has dismissed the writ petition holding that the said plea cannot be examined by the writ court as the same is within the domain of experts.

4. Learned counsel for the appellant submits that the heading of the paper itself reveals that it pertains to history and, according to him, a bare perusal of the questions reveal that all questions were from history subject. There was not a single question from research methodology.

5. We have gone through the paper and we find that the heading of paper is 'History' and after going through the questions, we also, prima facie, find that all the questions were from history subject.

6. Shri C.S. Rawat, learned counsel for the university also could not show to us any question which according to him relates to research methodology.

7. Ms. Anjali Bhargava, learned counsel for the U.G.C. also states that according to U.G.C. Guidelines, 50% of the questions should have been from research methodology.

8. It is not disputed before us that, out of 30 seats advertised, only 03 seats could be filled up through the entrance test. 07 more seats are stated to have been filled up through students who were JRF qualified. Thus, 20 seats still remain unfilled.

9. In the aforesaid facts and circumstances, we require the university to examine if it is ready to conduct another entrance test in accordance with U.G.C. regulation for filling up the remaining seats, which course, in our opinion would be in the interest of university as well as the students.

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10. Shri C.S. Rawat, learned counsel for the respondent university seeks time till day after tomorrow to obtain instructions on the said aspect.

11. Accordingly, the matter is adjourned.

12. Put up as fresh on 03.09.2026.”

4. Shri C.S. Rawat, learned counsel for the university states that according to the instructions received by him today morning from the Registrar of the university, the university has agreed to hold another entrance test for the remaining 20 seats strictly in accordance with Regulation 5 of the University Grants Commission (Minimum Standards and Procedures for Award of Ph.D. Degree) Regulations, 2022 without any delay.

5. In view of the aforesaid stand of the university, the writ petition stands disposed of in the same terms. The university is directed to hold the entrance examination for admission to Ph.D. course for the remaining 20 seats as per the U.G.C. Regulations, 2022 without delay.

6. Pending application, if any, also stands disposed of.

(MANOJ KUMAR GUPTA, C. J.)

(SUBHASH UPADHYAY, J.)

Dated: 03.09.2026

ss