IN THE SUPREME COURT OF BANGLADESH
HIGH COURT DIVISION
(SPECIAL ORIGINAL JURISDICTION)

WRIT PETITION NO. 17318 OF 2025

IN THE MATTER OF:

An application under Article 102 of the Constitution of the People's Republic of Bangladesh.

AND

IN THE MATTER OF:

Md. Amir Hamja Asif and others
..... Petitioners

-VERSUS-

Vice Chancellor, Patuakhali Science and Technology University (PSTU) and others
..... Respondents

Mr. Md. Bodruddoza, Senior Advocate with
Mrs. Zibon Nesa Mukti, Advocate,
Mr. Mohammad Shahidul Islam, Advocate and
Mr. Md. Azharul Islam Chowdhury, Advocate
.....…. For the Petitioners
Mr. Md. Muzahedul Islam, Advocate
.....For the Respondent Nos. 1, 2 and 12

Mr. Imran A Siddique, Senior Advocate with
Mr. Md. Mahbubur Rahman, Advocate
.....For the Respondent Nos. 13 to 17

Present:

Mr. Justice Sashanka Shekhar Sarkar
And
Justice Urmee Rahman

Heard on 20.01.2026, 26.01.2026 and 28.01.2026
Judgment on 03.02.2026

Urmee Rahman, J:

In the instant matter a Rule Nisi was issued on an application under Article 102 of the Constitution of the People's Republic of Bangladesh in the following term:

> *"Let a Rule Nisi be issued calling upon the respondents to show cause as to why the Decision of the Academic Council of the Patuakhali Science and Technology University (PSTU) dated 03.09.2025 (Annexure-C) abolishing the Degree of Doctor of Veterinary Medicine (DVM) and B.SC. AH (Hon's) and thereby introducing Combined Degree of Bachelor of Vet. Science and Animal Husbandry should not be declared to have passed without lawful authority and of no legal effect and why the respondents should not be directed to allow the petitioner No. 1, the daughter of the petitioner No. 2 and the petitioner No. 3 to continue and complete their course and Degree in B.SC AH (Hon's) which was introduced and continued pursuant to the judgment and order of the High Court Division and the Appellate Division and/or such other or further order or orders passed as to this Court may seem fit and proper."*

Relevant facts necessary for disposal of the instant Rule, in short, are that, the petitioner no. 1, the daughter of petitioner no. 2 and the petitioner no. 3 got admitted as students of B.Sc.AH (Hon's)course (regarding animal production) in Patuakhali Science and Technology University (hereinafter referred to as PSTU). Petitioner no. 4 is an alumni of the said university, who completed his B.Sc.AH (Hon's) degree in 2016 and Petitioner no. 5 is the Secretary General of Bangladesh Animal Husbandry Association (BAHA).

In the context of the increasing demands of the qualified persons in the field of Animal Husbandry, PSTU intended to commence a course of

B.Sc. in Animal Husbandry (Hon's) degree (regarding animal production) in 2011and issued circular for admission for the session 2011-12 in the said course under Unit-A. In the meantime the Bangladesh Veterinary Association (BVA) made representation to the University Grant Commission (UGC) not to open any such course of Animal Husbandry (Hon's) degree course in PSTU whereupon the Ministry of Education directed the concerned authority not to give approval to open the said course. Upon various representations made from interested quarters, the Ministry withdrew their earlier letter and directed the UGC to give their opinion upon scrutinizing the matter. The UGC opined for opening up the said course and gave their approval to PSTU. Pursuant to the said approval PSTU published amended admission notification fixing 10.12.2011 for admission test and 22.12.2011 for admission. After publication of admission circular by PSTU the BVA made another representation to the UGC, who by convening a meeting on 20.10.2011 resolved to circulate a press release announcing that a committee will be formed to enquire into the matter and the admission in the said course shall be postponed till submission of their report. UGC also withdrew their letter of approval to open up the said course. However, no report was ever submitted by the committee. Since admission circular was already issued, PSTU had no other alternative but to complete the admission process of the students under Unit-A for the sake of the prospective students and result of that test was published accordingly on the same day i.e. on 10.12.2011. But due to the suspension order of the UGC regarding opening of B.Sc. AH (Hon's) course, 30 students, who were qualified in

the admission test, could not get admitted in the said course. They made several representations but without any result. Being aggrieved they filed Writ Petition No. 10913 of 2011 before the High Court Division and obtained a Rule and an order of stay of the suspension order by the UGC. Pursuant to the order of stay PSTU completed the admission process and those qualified thirty students were allowed to get admitted in the said course. After hearing the Rule on contest this Division by the Judgment and order dated 14.03.2012 made the Rule absolute with the finding that the suspension order issued by the UGC was without any lawful authority and the students, who already got admitted in the B.Sc. in AH (Hon's) course in the PSTU be allowed to continue with their regular studies accordingly.

This decision was challenged by the UGC before the Appellate Division. The judgment of the High Court Division was affirmed by the Appellate Division in judgment dated 16.06.2016 passed in Civil Petition for Leave to Appeal No. 1365 of 2013. Thus by virtue of this decision the PSTU is continuing with the said course of B.Sc.AH (Hon's) since then and currently 14th batch of that course is running therein.

After July uprising in 2024 some students raised their voice and made demand to abolish the independent B.Sc.AH (Hon's) and B.Sc. DVM (Hon's) course and to commence a combined course of B.Sc. in Veterinary Science and Animal Husbandry (Hon's) degree. By the impugned decision dated 03.09.2025 the University Academic Council

hurriedly took the decision to commence the combined course forthwith upon abolishing the other two independent degrees.

Being aggrieved the petitioners filed the instant writ petition and on 30.10.2025 obtained the Rule and an order of stay operation of the impugned decision. Against the Rule issuing order, the PSTU filed C.P. No. 4452 of 2025 but no order was passed by the Honb'le Judge in Chamber.

Despite the order of stay passed by the High Court, the PSTU authority issued admission circular for the academic session 2025-26 mentioning only the combined course of B.Sc. in Veterinary Science and Animal Husbandry (Hon's) degree. In this situation the petitioners filed an application for issuing a Supplementary Rule and by the order dated 04.12.2025 a Supplementary Rule was issued in the following terms:

> "*Let a supplementary Rule be issued calling upon the respondents to show cause as to why the failure of the respondents to insert the B.SC.AH(Hon's) Degree of Patuakhali Science and Technology University in the admission circular of Agriculture Cluster (Guccho) published in "The Daily Prothom Alo" on 25.11.2025 (Annexure-K) shall not be declared to have been passed without lawful authority and of no legal effect and also as to why they shall not be directed to insert B.SC.AH(Hon's) Degree in the Admission Circular for the year, 2025-2026 by way of supplementary Admission Circular for the University pursuant to the judgment and order dated 14.03.2012 passed by the High Court Division in Writ Petition No. 10913 of 2011 and affirmed by the Appellate Division in Civil Petition for Leave to Appeal No. 1365 of 2013 by an order dated 16.06.2016 and/or such other or further order or orders passed as to this Court may seem fit and proper.*"

Mr. Md. Bodruddoza, learned Senior Advocate appeared on behalf of the petitioners. At the very outset he submitted that, the impugned decision was taken hurriedly at the pressure of the vested quarter under the guidance and instigation of DVM degree holders, as a result of which the current students have been seriously affected and they are put in an uncertain condition as they are in the middle of their course. Learned Advocate submitted that amalgamation of both the degrees in a hurried manner will cause serious detriment to the education of the students. He also submitted that, the decision of the Academic Council was not unanimous; some teachers had reservations but that was not considered by the Council and the decision was taken whimsically and in an arbitrary manner.

Learned Advocate contended that though the PSTU Act, 2001 provides clear provision under Section 20(দ) for creating new department and Education and research requiring approval from the Regent Board and UGC but neither any approval was given by the Regent Board of PSTU nor any permission was obtained from the UGC in opening a new combined degree.

He further argued that, from a comparative study of the abolished curriculum of two independent degrees and the newly introduced combined degree it appears that, the combined degree has been introduced with a view to promote the study of veterinary science leaving aside the study of Animal Husbandry. Because the combined course drastically

eliminated the production courses which are the key component of the Animal Husbandry study.

He next submitted that, since the course curriculum of B.Sc. AH (Hon's) and DVM are fully and separately elaborate and the students have already got admitted in these two disciplines with intent to obtain separate and independent degrees, amalgamation of both the degrees in a hurried manner will cause serious detriment in the long run in respect of their future career as there is a great demand of this subject in the international arena.

At the end of his submission Mr. Badruddoza referred to the example of Agricultural University, Mymensingh. In a similar situation of the demand of some students for commencing a combined degree, the Academic Council of Bangladesh Agricultural University, Mymensingh in their Academic Council's meeting recommended to commence a combined course but at the same time recommended to run the existing two independent courses; however the numbers of seats were recommended to be reduced and the recommendation was referred to the Syndicate for taking final decision. With the Syndicate's decision, recently the admission circular has been issued mentioning two independent courses of B.Sc. AH (Hon's) and DVM (Hon's) as well as a combined course of B.Sc. Vet. Science and A.H. Learned Advocate for the Petitioner then submitted that if the PSTU takes the decision in the line of the Bangladesh Agricultural University, the matter would have been resolved without prejudice to anyone.

Finally he prayed that, the Rule may be disposed of with the direction of keeping all the three courses, two independent and one combined and supplementary admission circular may be issued to that effect.

The Rule was contested by Respondent No. 1, 2 and 12 and also by added respondent nos. 13-17 by filing separate sets of affidavit in opposition.

Learned Advocate Mr Md. Muzahedul Islam, appeared for Respondent No. 1, 2 and 12 i.e. the PSTU authority.

Upon placing the affidavit in opposition he submitted that Veterinary education in Bangladesh historically originated as an integrated discipline, combining veterinary science and animal husbandry, commencing with the establishment of the East Pakistan Veterinary College in 1947. The subsequent separation into DVM ad B.Sc. AH (Hon's) streams in 1962 were experimental and administrative in nature which led to professional conflict, curriculum duplication and administrative inconsistencies across the livestock sector. Consequently, during 2017-2018, a number of initiatives were taken at the national policy level for offering a combined degree of B.Sc. Vet. Science and AH as well as offering make up course to the officers having individual degrees. Thereafter in a meeting held on 21.11.2024 under the chairmanship of the Hon'ble Adviser of the Ministry of Fisheries and Livestock of the current interim government, a decision was taken to introduce an in-service makeup course to ensure appropriate appointments

of both types of graduates to all posts in the Department of Livestock Services. It was further directed that in the future, all entry-level posts of the BCS (livestock) cadre service will be filled by graduates holding integrated degree. Accordingly a gazette has also been published by the Ministry on 05.12.2025.

It was then submitted by the learned Advocate for the Respondents that, with a view to gain eligibility to apply for livestock related government and private jobs, Department of Animal Husbandry and DVM students studying at PSTU completely shut down administrative activities and continued movement from July 2025. Among the protesting students, the daughter of the petitioner no. 2 was there as well. Considering the students' demand for the combined degree, the socio-economic condition of Bangladesh and to ensure greater employment opportunities for both DVM and AH students of this university, the university authority completed the required procedures for introducing the B.Sc. Vet.Sci. and A.H. degree at this university.

Learned Advocate contended that before taking the final decision the following procedures were followed by the university authority:

i) report and recommendation dated 01.09.2025 by the committee formed to verify the justification of the combined degree by consulting stakeholders and an online vote of students was conducted, where 99.18% of students voted in favour of the combined degree; ii) recommendation was made by the Dean's Council on 0209.2025; iii) decision was taken by the Academic Council on 03.09.2025in its 54th meeting; iv) syllabus

formulation by the course curriculum committee; v) approval of course curriculum and syllabus by the Faculty Executive Committee on 17.09.2015 and 22.11.2025; vi) approval of course curriculum and syllabus at the 55th Academic Council meeting on 27.11.2025; vii) approval of course curriculum and syllabus at the 57th Regent Board meeting on 11.12.2025 and viii) notification to the UGC on 15.12.2025.

Learned Advocate next submitted that, the proposed amalgamation of the two degrees, despite having different course curriculum, is taken upon following a well-designed procedure and option has been given to the existing student to pursue their existing independent degree or to join the combined degree as per their independent decision. Thus it cannot be said that the existing students would be in anyway prejudiced.

It was argued by the learned Advocate that there has been no violation of the Act in taking the decision inasmuch as in case of combining two existing degree the only requirement is to inform the UGC about such introduction; no prior approval under Section 20 (দ) is required in this case.

Learned Advocate then argued that the Respondent no. 2 has to make a decision on an emergency basis as a result of a protest movement from the students, and the action is very much justified under Section 11(12) of the PSTU Act, 2001.

He finally submitted that, the petitioners of the writ petition lacks *locus standi* since none of them are personally affected by the

introduction of the new combined degree. In the end he prays that there have no merit, the Rule may be discharged.

Mr. Emran Siddique, Senior Advocate, with Mr Md. Mahbubur Rahman appeared on behalf of the added respondent nos. 13-17, who are the current students of PSTU and were involved in the movement of introduction of a combined degree.

Mr. Siddique made submission in the line of the Respondent no. 1, 2, and 12 i.e. the university authority. In addition he submitted that this is purely a policy matter of the university authority and there being no procedural deviation that cannot be challenged in judicial review. He further submitted that the earlier writ petition, by virtue of which the B.Sc.AH (Hon's) degree course was started, has no nexus with the present subject matter; these are completely two different issues. In support of his submission Mr. Siddique relied on some decisions of Indian jurisdiction wherein it has been consistently established that policy decisions of the authority are not to be interfered with in judicial review: *Directorate of Film Festivals and Ors. Vs. Gaurav Ashwin Jain and Ors. reported in MANU/SC/1778/2007, All India Council For Technical Education Vs. Surinder Kumar Dhawan and Others reported in (2009) 11 Supreme Court Cases 726 and Maharashtra State Board of Secondary and Higher Secondary Education and Ors. Vs. Paritosh Bhupesh kumar Sheth and Ors. reported in MANU/SC/0055/1984.*

Finding of the Court:

Heard the learned advocates for the petitioners as well as for the respective respondents and perused the writ petition, supplementary affidavits, affidavit in oppositions and the documents annexed therewith.

It appears from the record that the writ petition has been filed challenging the decision of Academic Council of the PSTU dated 03.09.2025 abolishing the Degree of Doctor of Veterinary Medicine (DVM) (related to animal health) and B.Sc.AH (Hon's) (related to animal production) and introducing combined degree of B.Sc. Vet. Sci. & A.H. to commence the Academic activities from 04.09.2025.

In the beginning this University did not have the course of B.Sc.AH (Hon's) degree. In the context of increasing demands of the qualified persons in the field of Animal Husbandry, PSTU intended to introduce this course and by virtue of the order of the this Court, that was finally commenced in 2011. We cannot but to overlook the finding made by the Hon'ble Appellate Division, which states:

> "Thus, in the present case, we find that the BVA, the Association of the Veterinary Doctors, has taken a serious stand against opening up of a separate Honours course relating to animal production albeit this field of education is completely different from the DVM course."

Thus it is an admitted matter of fact that during the last two decades there has been conflict between the authorities of the two degree holders namely, B.Sc. in Animal Husbandry (Hon's) and Doctor of Veterinary

Medicine (DVM). The finding of the Appellate Division provides a glimpse of the background giving rise to the present situation involved in this writ petition.

Learned Advocate for the respondents raised the question of *locus standi* of the writ petitioners in filing the writ application contending inter alia that none of the petitioners are personally affected by the introduction of the new combined degree, as such they have no legal right to invoke the writ jurisdiction.

On this issue, the learned Advocate for the petitioners' submission is that, petitioner no. 1 is a current student of B.Sc.AH (Hon's) course, petitioner No. 2 is the father of a current student of this course, petitioner no. 3 is also a current student, who after completion of his 4 year course in this subject is pursuing his internship , the petitioner no. 4 is an alumni of this particular course from this university and he was one of the writ petitioner in the earlier Writ Petition No. 10913 of 2011 and petitioner no. 5 is the secretary General of Bangladesh Animal Husbandry Association. All of them are affected by the decision for abolishment of this particular degree since there has been a long standing battle to run this course independently and particularly the Association has been protesting the decision of commencing a combined course by abolishing the independent course all the way through and they are concerned that the present and the future students would be highly deprived to avail the world wide opportunity in this specialised field.

On the issue of *locus standi* it has been earlier held by our apex Court that, Article 102(2) does not require that the applicant must have a ‘specific legal right’; the only requirement is that he must be an ‘aggrieved party’ (The case of ***Dr. Mohiuddin Farooque vs. Bangladesh reported in 49 DLR AD 1)***. In view of the principle laid down by the appellate division and considering the above submissions made by the learned advocate for the petitioners, we hold that, the petitioners have sufficient interest to file this writ petition as aggrieved parties.

Having said that, since the academic decisions remain within the domain of the authority concerned, the core issue before us to decide whether the impugned decision has been taken by the authority in a lawful manner or not.

From the impugned memo annexed in annexure ‘C’ to the writ petition it transpires that the decision was taken in an ‘urgent’ meeting of the Academic Council of the University.

The relevant part of the decision of the Academic Council dated 03.09.2025 is quoted below:

> ‘‘আলোচ্যসূচি ১
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> পটুয়াখালী বিজ্ঞান ও প্রযুক্তি বিশ্ববিদ্যালয়ের এ্যানিমাল সায়েন্স এন্ড ভেটেরিনারি মেডিসিন অনুষদের শিক্ষার্থীদের দাবির প্রেক্ষিতে বিদ্যামান প্রদানকৃত 'ডক্টর অব ভেটেরিনারি মেডিসিন (ডিভিএম) এবং বিএসসি এএইচ (অনার্স) ডিগ্রির পরিবর্তে কম্বাইন্ড ডিগ্রি প্রদানের বিষয়ে গঠিত কমিটির সুপারিশ ও ডিন কাউন্সিল সভার সুপারিশ পর্যালোচনা ও সিদ্ধান্ত গ্রহণ।
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> সিদ্ধান্ত: পটুয়াখালী বিজ্ঞান ও প্রযুক্তি বিশ্ববিদ্যালয়ের এ্যানিমাল সায়েন্স এন্ড ভেটেরিনারি মেডিসিন অনুষদের শিক্ষার্থীদের দাবির প্রেক্ষিতে বিদ্যামান প্রদানকৃত (ডিভিএম) এবংবিএসসি এএইচ (অনার্স)" ডিগ্রি দুটি বিলুপ্ত করে কম্বাইন্ড ডিগ্রি প্রদানের বিষয়ে গঠিত কমিটির সুপারিশ ও ডিন

> কাউন্সিল সভার সুপারিশ একাডেমিক কাউন্সিলে বিস্তারিত আলোচনা ও পর্যালোচনান্তে সর্বসম্মতিক্রমে নিম্নোক্ত সিদ্ধান্ত গৃহীত হয়।
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> ক. এ্যানিমেল সায়েন্স এন্ড ভেটেরিনারি মেডিসিন অনুষদ হতে চলমান "'ডক্টর অব ভেটেরিনারি মেডিসিন (ডিভিএম) এবং বিএসসি এএইচ (অনার্স)" ডিগ্রি দুটি বিলুপ্ত করে ৫ বছর মেয়াদি কম্বাইন্ড ডিগ্রি Bachelor of Science in Veterinary Science and Animal Husbandry (B.Sc. Vet. Sci. &.A.H.প্রদানের সিদ্ধান্ত গৃহীত হয়।
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> খ. কম্বাইন্ড ডিগ্রি B.Sc.Vet. Sci. & A.H. এর কোর্স কারিকুলাম ও সিলেবাস প্রণয়নের জন্য ১৩ (তের) সদস্য বিশিষ্ট কমিটি গঠন করার সিদ্ধান্ত গৃহীত হয় এবং উক্ত কমিটি গঠনের জন্য মাননীয় ভাইস চ্যান্সেলর প্রো-ভাইস চ্যান্সেলর ও ট্রেজারার মহোদয়কে ক্ষমতায়িত করা হয়।
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> গ. কম্বাইন্ড ডিগ্রি B.Sc.Vet. Sci. & A.H. প্রোগ্রামের সকল সেসনের একাডেমিক কার্যক্রম (ক্লাশ ও পরীক্ষা) আগামী ৪.৯.২০২৫ খ্রি. তারিখ থেকে শুরু করার সিদ্ধান্ত গৃহীত হয়।

By this impugned decision the existing two independent degrees provided by the Faculty of Animal Science and Veterinary Medicine namely DVM and B.Sc.AH (Hon's) have been abolished and a five year long combined degree of these two have been decided to be commenced instead. It was also decided that to prepare the course curriculum and the syllabus of the combined degree a 13 member committee shall be formed and the VC, Pro VC and the Treasurer were given power to form that committee. Surprisingly, it was finally decided that academic activities (class and examination) of the newly commenced combined degree programme shall be started from the very next day i.e. from 04.09.2025, which is evident from Annexure D-1 to the writ petition.

It is a well-established principle that the court should be extremely reluctant to substitute its own views as to what is wise, prudent and proper in relation to academic matters in preference to those formulated by professional men possessing technical expertise and rich experience in

their respective fields; however, the legality of such decision making process is very much within the purview of judicial review.

PSTU has been established by the Patuakhali Science and Technology University Act, 2001. According to this Act the highest decision making authority and the executive body of this university is the Regent Board, which is equivalent to a Syndicate in other universities. According to Section 20 of the Act, this Regent Board shall have general management and supervisory authority over all other bodies and activities of the University.

There is an Academic Council, which is the authority regarding education related matters subject to this Act, statute and rules of the University. Section 22 of the Act has provided the powers and duties of this Council. Section 22(3) provides as many as 18 specific functions of the council. None of those squarely attracts the situation which is the subject matter of this writ petition. However, Section 22(3)(ka) provides, "to make recommendation to the Regent Board regarding all education related matters."

As such the authority of the Academic Council is limited to making recommendation to the Regent Board, who shall make the final decision. In the present case, the impugned decision of abolishing two running degrees and commencing a combined degree instead was taken by the Academic Council as evident from Annexure-C.

It has been argued by the learned Advocate for the Respondent no. 2 that this decision was later approved by the Regent Board in its meeting dated 11.12.2015 (Annexure III-7 of affidavit in opposition by respondent no. 2). However, there is no provision in the Act for obtaining subsequent approval by the Regent Board.

Furthermore, it is to be noted that, the instant Rule was issued on 30.10.2025 and the operation of the impugned decision dated 03.09.2025 was stayed. It has been submitted by the learned advocate for the petitioners that challenging the ad interim order of stay, the respondents i.e. the university authority filed Civil Petitioner for Leave to Appeal No. 4452 of 2025 but that was not proceeded to get heard. In this situation, the petitioners were constrained to file a Contempt Petition, wherein, a Rule was issued on 10.12.2025 by this Division. Thereafter the abovementioned CPLA was taken up for hearing and the Hon'ble Judge in Chamber was pleased to pass 'No Order' on 23.12.2025. Thus it appears that the subsequent approval of the Regent Board was obtained while the order of stay of this Division was very much in force. The University authority being absolutely aware of the Order of this Court, went ahead to place the decision of the Academic Council before the Regent Board for subsequent approval. We find that, this has been done by the university authority intentionally in order to defy the order passed by this Division on 30.10.2025. This conduct of the Respondent nos. 1, 2 and 12 amounts to nothing but contempt of Court's order.

As per the submission of the Respondent 2, the Respondent no. 2 i.e. the Vice Chancellor had to make the decision on an emergency basis as a result of a protest movement from the students, and this action is authorized by virtue of Section 11 (12) of the University Act of 2001.

Section 11(12) is quoted below:

> **"১১। (১২) বিশ্ববিদ্যালয় পরিচালনার ক্ষেত্রে জরুরী পরিস্থিতির উদ্ভব হইলে এবং ভাইস চ্যান্সেলরের বিবেচনায় তৎসম্পর্কে তাৎক্ষণিক কোন ব্যবস্থা গ্রহণ প্রয়োজনীয় বিবেচিত হইলে, তিনি সেই ব্যবস্থা গ্রহণ করিতে পারিবেন এবং যে কর্তৃপক্ষ বা সংস্থা সাধারণতঃ বিষয়টি সম্পর্কে ব্যবস্থা গ্রহণ করিবার অধিকারপ্রাপ্ত সেই কর্তৃপক্ষ বা সংস্থাকে, যথাশীঘ্র সম্ভব, তৎকর্তৃক গৃহীত ব্যবস্থা সম্পর্কে অবহিত করিবেন।"**

This Section provides an unfettered power to the Vice Chancellor to take any action which is required to be necessary in case of an emergency situation in the affairs of the management of the University. The term *'emergency'* as has been defined in the Black's Law Dictionary, 11th edition as follows:

> *"A sudden and serious event of unforeseen change in circumstances that calls for immediate action to avert or minimize damage, injury or loss."*

We have seen that impugned decision was taken in an 'urgent' meeting of the Academic Council and the sole reason for the urgency has been mentioned to be the student's demand. Although a number of other reasons were mentioned by the learned advocate for the Respondents e.g. Government policy decision etc. but those have not been reflected in the impugned decision. It is admitted that a group of students have started movement since July, 2025 with a demand for a combined degree of veterinary medicine and animal husbandry. However, it was never their

demand to abolish the running two independent degrees. Thus the situation, on which the impugned decision was taken, was not ‘sudden’ and it did not require ‘immediate action’ to abolish the independent degree courses as it was not ‘necessary’ to meet the said ‘emergency’ situation. Such an important decision of abolishing the existing two courses need not and should not have taken in an hurried manner when there was no demand for such abolition.

Moreover, it appears from Annexure ‘F’ that in a similar situation of students’ demand the Academic Council of Agricultural University, Mymensing in an urgent meeting, has made recommendation to the Syndicate for commencing a combined degree course. In addition to that they also recommended running the existing two independent degrees simultaneously.

We find that the hasty decision of the Academic Council to abolish the running degrees straight away and to start class for the combined degree course from the very next day in blatant contradiction to their own decision to form a committee in order to prepare the course curriculum and syllabus for the combined degree course, is completely arbitrary, whimsical and unwarranted. Considering the submissions of petitioners’ advocate as to the fact that some of the members of the Dean’s Council did have strong reservations in abolishing the running independent degree, inference can be drawn that the impugned decision regarding such an important issue was not taken in good faith.

During pendency of the writ petition the admission circular for the 2025-26 session has been published by the University mentioning only the combined degree course, hence a supplementary Rule was issued upon the Respondents on 04.12.2025 with a direction to publish additional circular by inserting the independent degree course of B.Sc.AH (Hon's). Though notice was served, the Respondents did not comply with that direction. On the contrary they filed C.P. No. 4918 of 2025 before the Appellate Division challenging order of this Division. However, 'No Order' was passed by the Hon'ble Judge in Chamber on 23.12.2025. The petitioner then filed another Contempt Petition No. 25 of 2026 and Rule was issued 25.01.2026.

We observe with severe concern that the University Authority i.e. the Respondents no. 1, 2, and 12 are deliberately taking actions to the utter defiance of the orders of the Court. On every occasion they have moved to the Appellate Division by challenging the ad interim orders of this Division but they never cared to appear in the pending Contempt proceedings. These sorts of conducts are to be seriously condemned so that nothing like this happen in future for the sake of preserving the dignity of this Court, which shall be duly dealt with in the contempt proceedings pending against the university authority in this regard.

During the course of hearing the learned advocate for the respondent nos. 1, 2, and 12 submitted before this court that the university authority is in the process of complying with the order of this court;

however, no supporting evidence to that effect has been produced before us.

With the discussions, observations and findings made hereinabove we find substance in both the Rule and the supplementary Rule.

The impugned decision dated 03.09.2025, so far it relates to the abolishment of the running two independent courses of Doctor of Veterinary Medicine (DVM) degree and B.SC. AH (Hon's) degree, is hereby declared unlawful and without lawful authority and therefore set aside.

The respondent nos. 1, 2, and 12 are directed to commence the existing two independent courses i.e. Doctor of Veterinary Medicine (DVM) degree and B.SC. AH (Hon's) degree simultaneously with the newly introduced combined degree of Bachelor of Vet. Science and Animal Husbandry. They are further directed to publish supplementary Admission Circular for the 2025-2026 academic session for admission in the independent courses of Doctor of Veterinary Medicine (DVM) degree and B.SC. AH (Hon's) degree within 30 (thirty) days upon receipt of this order. They are also directed to submit the compliance thereof by filing an affidavit in compliance in the pending Contempt Petition No. 543 of 2025 before the High Court Division.

The Rule is therefore disposed of with the aforesaid observations and directions.

However, there is no order as to costs.

Let a copy of this judgment and order be communicated to the concerned authorities concerned at once.

Justice Sashanka Shekhar Sarkar, J:

I agree.

Farida Bench Officer