

In the High Court of Delhi

IN THE HIGH COURT OF DELHI
Civil writ petition no. 1348 of 1980

Kaustubha Nand Pandey PETITIONER

through Mr. Amlan Ghosh, Advocates

VERSUS

Council of Architecture etc. RESPONDENTS

through Mr. K.R. Nagaraja, Advocate

Date of Decision : September 17, 1982

CORAM:

The Hon'ble Mr. Justice S.B. WAD

1. Whether Reporters of local papers may be allowed to see the Judgement?
2. To be referred to the Reporter or not?
3. Whether their Lordships wish to see the fair copy of the Judgement?

S.B. Wad, J.

1. This writ petition is filed against the order of the Council of Architecture passed on 17th September, 1979 rejecting petitioner's application for registration as an Architect under Section 25(b) of the Architect's Act, 1972.
2. The grounds for the challenge of the said order and the legal submissions are the same as are made in Civil Write Petition No. 547 of 1980. I have fully dealt with the said submissions in the said writ petition and have rejected the same. This petition was in fact heard along with the said petition.
3. I will only examine now the submissions on merits made in this petition.
4. The petitioner was born in 1949. He passed his High School Certificate Examination in 1962. In 1972 he passed B.Sc. Examination. According to the certificate produced by him from R.C. Mehta, Architect and Chartered Engineer, Surveyor and Estate Valuer, New Delhi, the petitioner was working as an Architectural Assistant with the firm from May 1961 to June, 1963. He has annexed the list of works executed by him. The list shows that about twenty construction works were undertaken by him, the total valuation of which runs into several lacs. Thereafter he was working as a Punch Operator at the Computer Centre, Structural Engineering Research Centre till 4.7.1971. From 5.7.1971 to 28.6.1972 he was working as a Programme Assistant, Meerut University. He claims to have continued his practice as an Architect thereafter.
5. It may be seen that the petitioner does not hold any academic qualification as an Architect. He is not even a Civil Engineer as in the other case. He passed his Matriculation Examination in 1962 but claims that from 1961 to 1963 he was working as an Architect and had done works worth rupees several lacs. This means that between his age of twelve and fifteen he was practicing as an Architect. After the arguments were over the petitioner had filed an affidavit to state that according to his Janampatrika he was born on 28th June, 1946 and not in 1949 as is recorded in the School records. The petitioner must be some thing of a genius to do construction works worth lacs of rupees at the age of about 15. He has worked as a Computer Operator and as a Programme Assistant which has nothing to do with the Architectural profession. Even assuming

that he was doing some architectural work after 1972 he did not complete the five years experience on 27.4.1974 as required by Section 25(b) of the Act. Before the Advisory Council he did not produce any drawings of the works done by him. The Council of Architectures was fully justified on the basis of the information and the documents supplied by the petitioner to come to a conclusion that he did not deserve to be registered as an Architect.

6. The petition is dismissed. In the circumstances of the case I do not pass any orders as to costs.

Rules is discharged.

Sd/-
S.B. Wad
Judge

September 17, 1982