

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15618 of 2007

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Smt.Vina Sharma D/O Late Gopal Sharma W/o Himanshu Kumar, R/o
village Rasulpur Sohawan, P.S. Bhagwanpur, Vaishali

.... Petitioner/s

Versus

1. Magadh University Bodh Gaya through the Vice Chancellor
2. The Vice Chancellor Magadh University Bodh Gaya
3. The Registrar, Magadh University Bodh Gaya
4. The Controller of Examination, Magadh University, Bodh Gaya

.... Respondent/s

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

5 01-05-2015

Heard Mr. Giridhar Gopal Tiwary for the petitioner

and counsel for the Magadh University.

A counter affidavit has been filed on behalf of the
University. The petitioner has filed rejoinder thereto.

The writ application seeks a direction upon the
respondents particularly the authorities of the University to issue
original/provisional certificate of Bachelor of Education
Examination for session 1991-92 which was held in September,
1994 result whereof was published in 1995.

For the purpose of disposal of the case, the relevant
facts giving rise to the case may not be noticed. Suffice it to say
that the petitioner claims to have appeared and passed the B.Ed
Examination as a student of Sidharath Mahila Teachers' Training
College, Boring Canal Road, Patna under the jurisdiction of the
Magadh University, but for one reason or the other the

certificate/provisional certificate of passing of the examination was not granted to her.

In the counter affidavit the respondent University in paragraph 5 has stated as under:-

“5. That for obtaining original/provisional certificate of B.Ed examination held in Sept. 94 petitioner has to submit an application form duly forwarded by the college along with the registration slip, attested photo copy of mark sheet, an affidavit of 1st Class Magistrate and has to deposit Rs. 500 only.”

The petitioner has filed rejoinder stating therein that the college in which she pursued her studies has since been closed. She, therefore, is unable to get her application forwarded from the college in question. Other documents/papers she is ready to furnish/produce.

In view of aforesaid and considering the stand taken in the counter affidavit, the writ application is disposed of by permitting the petitioner to take all steps as per the statements made in paragraph 5 of the counter affidavit. The University thereafter shall examine her claim for issuance of the certificate of

the examination without those documents being forwarded by the college concerned. It is expected that once the application or the requisite are filed by the petitioner, the University shall consider her claim for grant of certificate expeditiously preferably within two months of submissions of the papers.

(Kishore Kumar Mandal, J)

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