

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11332 of 2014

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Babita Kumari, Wife of Bimlendu Kumar Bimal, resident of Amari Kuckran, P.S.
Dhamdaha, District – Purnia.

.... Petitioner

Versus

1. The Vice Chancellor, Bhagalpur University, Bhagalpur.
2. The Registrar, Bhagalpur University, Bhagalpur.
3. The Chairman, Intermediate Council, Bihar, Patna.
4. The Examination Controller, Intermediate Council, Bihar, Patna.
5. The Principal, Koshi College, Khagaria, Bihar.

.... Respondents

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Appearance :

For the Petitioner : Mr. Manoj Kumar, Advocate
For Res. Nos.1 & 2 : Mr. Rajendra Kumar Giri, Advocate
For Res. Nos.3 & 4 : Mr. Sanjeev Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 24-11-2015

The writ application is dismissed on two grounds. One that the cause of action has arisen after almost 28 years. Secondly that there is serious controversy with regard to what petitioner claims her marks should be vis-à-vis what the records of the erstwhile Intermediate Council reflects, which is available on record of the Council.

Since this Court has no mechanism to test the authenticity of the documents which the petitioner is pressing into service, therefore, such matters can be tested after proper evidence documentary or oral kind being taken in a civil proceeding for which petitioner has liberty to file a suit.

Writ application is otherwise dismissed.

(Ajay Kumar Tripathi, J.)

Sanjay/-

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