

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5486 of 2016

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Dr. Kumar Nandan s/o Baidyanath Prasad, R/o Mohalla- Anandpuri Colony,
Nayachak, Ishakchak, Mirjanhat Road, P.S.- Ishakchak, Town & Dist.- Bhagalpur.
.... Petitioner

Versus

1. The T. M. Bhagalpur University, Bhagalpur, through its Registrar
2. The Vice Chancellor, T. M. Bhagalpur University, Bhagalpur
3. The Pro Vice-Chancellor, T. M. Bhagalpur University, Bhagalpur
4. The Registrar, T. M. Bhagalpur University, Bhagalpur
5. The Examination Controller, T. M. Bhagalpur University, Bhagalpur
6. The Head, University Department of Chemistry, T. M. Bhagalpur University, Bhagalpur
7. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna
8. The Director, Higher Education Department, Government of Bihar, Patna
9. The Hon'ble Chancellor of Universities, Raj Bhawan, Patna

.... Respondents

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Appearance :

For the Petitioner	:	Mr. Purushottam Kumar Jha, Advocate
For the State	:	Mr. Ajay, G.A.12
For the University	:	Mr. R.K. Giri, Advocate

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
ORAL JUDGMENT
Date: 21-11-2016

Heard counsel for the petitioner and counsel for the
University.

Let the Vice-Chancellor of the University pass a
speaking order with regard to the status of the petitioner whether his
enrollment as a Pre-Ph.D. candidate was in any manner under the
2009 UGC Regulation or not. Such an order should be passed within a
period of six weeks and communicated to the petitioner because after
all it is the University which knows best and it is not for the Court to
sit in appeal over such decisions specially when there is nothing,

which is pleaded as mala fide or there is nothing amiss with regard to the stand of the University in support of their decision in their counter affidavit.

All the documents, which the petitioner would like to show to the Vice-Chancellor, may be shown for his satisfaction and the satisfaction of the authorities. The previous order contained in Annexure-24 will not act as a prejudice in the fresh decision. Fresh decision should be taken with objectivity and keeping the request and the actual state of affairs prevalent in the University.

Writ stands disposed of with above direction.

(Ajay Kumar Tripathi, J.)

S.Kumar/-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	22.11.2016
Transmission Date	