

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.18114 of 2014

Sanjay Kumar Son of Hari Narain Gupta, Resident of Village - Chhotki Baliyari, Post Office - Arap, Police Station - Bikram, District - Patna, at present working on the post of Teacher, Plus two Raghunandan Singh High School, Jamuhari, Block - Kaler, District - Arwal.

.... Petitioner

Versus

1. The Magadh University, through Registrar, Bodh Gaya.
2. The Vice Chancellor, Magadh University, Bodh Gaya.
3. The Pro Vice Chancellor, Magadh University, Bodh Gaya.
4. The Controller of Examination, Magadh University, Bodh Gaya.
5. The Principal, Ram Mohan Roy College of Education, Khajanchi Road, Patna.

.... Respondents

Appearance :

For the Petitioner : Mr. Jitendra Kumar Roy, Advocate
For the University : Mr. Girijish Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 03-05-2016

Heard counsel for the petitioner, counsel for the University as well as the counsel representing the so called institution, i.e., Ram Mohan Roy College of Education.

There are controversies with regard to the status of the petitioner as a bona fide student of the institution in question. Today a list has been produced of so called students representing the batch of 1988-89 which is supposed to be a Xerox copy of some register maintained by the institution. It is evident from reading of the same that three names have been inserted in addition to the original list of 167 candidates which is in one pen and one handwriting. The other

three names which includes the name of the petitioner has been added later on for whatever reasons which is not required to be investigated.

The Examination Committee in terms of the direction of this Court did examine the matter and decided not to award any kind of B.Ed. degree. In fact the so called degree awarded earlier has been cancelled.

In absence of unimpeachable evidence, this Court will not interfere with the decision of the University. However, petitioner is free to file a suit and get an appropriate declaration where all the documents which support the case of the petitioner can be summoned, examined and their authenticity taken into consideration for any declaration including quashing of the decision of the examination board of the University.

Writ is dismissed with liberty as above.

(Ajay Kumar Tripathi, J.)

SanjayKumar/-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	04.05.2016
Transmission Date	