

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.22181 of 2014

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1. Amrita Kant, D/o Rajendra Prasad, Resident of Village - Kailbagh Ward no. 11, P.S. Bettiah, District - West Champaran.
 2. Praveen Kumar Saurav, son of Ram Ekbal Chaurasia, Resident of Village - Dhekahan Bishunpur, P.S. Mufassil, District - East Champaran.
 3. Reeta Kumari, D/o Rajendra Prasad Gupta, Resident of Village - Bhandar, P.S. Dhaka, District - East Champaran.
 4. Manish Kumar, S/o Kamal Kishore Pandey, Resident of Village - Jagapaker, P.S. Areraj, District - East Champaran.
 5. Shahnawaz Alam Ansari, son of Mansoor Ahmad Ansari, Resident of Village - Dariyapur, P.S. Sangrampur, District - East Champaran.
 6. Jitendra Prasad, Son of Basudeo Prasad, Resident of Village - Bharthuiyan, P.S. Pipra, District - East Champaran.
 7. Ajay Kumar Srivastava, S/o Late Sheyamji Lal Srivastava, Resident of Ravil Maidud, P.S. Rajpur, District - Hardwar, Uttarakhand.

.... Petitioner/s

Versus

1. The State of Bihar through Commissioner-cum-Secretary, Department of Health and Medical Education, Government of Bihar, Patna.
2. Baba Saheb Bhimrao Ambedkar Bihar University Muzaffarpur through Vice Chancellor.
3. The Registrar, Baba Saheb Bhim Rao Ambedkar Bihar University, Muzaffarpur.
4. The Controller of Examination, Baba Saheb Bhimrao Ambedkar, Bihar University, Muzaffarpur.
5. Rabindra Nath Mukherjee Ayurvedic Chikitsa Mahavidyalaya through its Principal.
6. The Principal Incharge Sri Krishna Medical College and Hospital, at P.O. and P.S. Motihari Muffasil, District - East Champaran.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Md. Anisur Rahman

For the Respondent/s : Mr. GP-20 MD. Nadim Seraj

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 28-03-2016

Writ application is dismissed. The petitioners may sue the institution or the Principal, responsible for not forwarding the fee and form for participating in the examination, before the university concerned for the session 2007-2008, especially when all kinds of

controversies are surrounding the institution in question and no clear evidence is emerging as to the reason why the form and fee were not forwarded by the institution, which is an accepted position on fact and is certified from the materials brought on record.

Writ application is dismissed with liberty as above.

It is also made clear that the institution in question has no longer an affiliation with B. R. A. Bihar University, Muzaffarpur in view of the bar of not taking further admission from the session 2008-2009.

(Ajay Kumar Tripathi, J)

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