

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18037 of 2014

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Abdul Waris, Son of Md. Abdul Samad Akhtar, Resident of Mohalla- Gaorah Garh,
P.S. Bihar Sharif, District- Nalanda.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Education Department, New Secretariat, Govt. of Bihar, Patna Baily Road. 1
2. The Vice Chancellor, Patna University, Patna. At Ashok Raj Path, P.O. Mahendru Patna- 6
3. The Pro-Vice Chancellor, Patna University, District- Patna. Ashok Raj Path, P.O. Mahendru Patna- 6
4. The Head of the Department/Dean (Academic), Patna University, Patna Ashok Raj Path, P.O. Mahendru Patna- 6
5. The Dean Faculty of Engineering College, Patna University, at present National Institute of Technology, Patna, through, the Head of the Department, Ashok Raj Path, P.O. Mahendru Patna- 6
6. The Controller of Examination, Patna University, Patna. Ashok Raj Path, P.O. Mahendru Patna- 6
7. The Deputy Registrar (Examination) Patna University, Patna Ashok Raj Path, P.O. Mahendru Patna- 6

.... Respondents

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Appearance :

For the Petitioner	:	Mr. Atiullah, Advocate
For the University	:	Mr. Digvijay Singh, Advocate
		Mr. B.J. Jha, Advocate
For the State	:	Mrs. Archana Jha, A.C. to G.A.13

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
ORAL JUDGMENT
Date: 01-02-2016

No relief can be granted to the petitioner on his prayer to accept the dissertation which he has deposited after more than five years of the last semester and filed the writ after 8 years for its evaluation as also declaration of the result at this belated stage. Any relief to the petitioner in this regard will be doing gross violations to the statutes which have been annexed as Annexure-A to the counter affidavit of the University.

In fact the facts are so glaring which indicate by itself that the petitioner was not serious about pursuing his studies and he was pre-occupied with something else before he finally decides after more than five years to submit a dissertation. If he had cleared the semester examination as is his assertion then a dissertation is not a research thesis which takes so many years for submission and its evaluation when it has to be done within 6 months, as mandated by the Statute.

The other aspect is that the N.I.T. which used to be affiliated with the Patna University was declared as an independent institution and, therefore, Patna University lost all control over such decision making. If that be so, that also comes in the way of any relief to the petitioner. The delay which is not properly explained also and above the development too comes in the way of any relief being extended to the petitioner.

Writ application has no merit. It is dismissed. If somebody has been given the benefit contrary to the statutory provision, the respondent authorities will re-look into the matter and undo the omission, if any.

(Ajay Kumar Tripathi, J.)

Sanjay/-

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