

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.12596 of 2017

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Rohan Kumar, aged about 24 years, Son of late Subodh Prasad Singh, Resident of Village- Lattipakar, P.O. Dharhara, PIN Code 853204, Police Station- Gopalpur, District- Bhagalpur.

.... Petitioner/s

Versus

1. The Vice Chancellor, Tilka Manjhi Bhagalpur University, Bhagalpur, District- Bhagalpur, PIN Code- 812007.
2. The Pro-Vice Chancellor, Tilka Manjhi Bhagalpur University, Bhagalpur, District- Bhagalpur, PIN Code- 812007.
3. The Registrar, Tilka Manjhi Bhagalpur University, Bhagalpur, District- Bhagalpur, PIN Code- 812007.
4. The Dean Student Welfare (DSW), Tilka Manjhi Bhagalpur University, Bhagalpur, District- Bhagalpur, PIN Code- 812007.
5. The Controller of Examination, Tilka Manjhi Bhagalpur University, Bhagalpur, District- Bhagalpur, PIN Code- 812007.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Subash Pd. Singh, Adv.
Mr. Ghanshyam Sharma, Adv.

For the University : Mr. Anjani Kumar, Sr. Adv.
Mr. Shailendra Kumar Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL JUDGMENT & Order

Date: 10-10-2017

The petitioner is a student of Tilka Manjhi Bhagalpur University, Bhagalpur (*in short 'University'*). This application has



been filed, under Article 226 of the Constitution of India, seeking quashing of the Students' Union Election Programme Order, dated 10.08.2017, for the Session 2017-18 of Tilka Manjhi Bhagalpur University Students Union Election.

2. It appears from the writ application that the petitioner has a grievance that the voter list has not been published and the persons, who are appearing for examination at various levels, will not be allowed to take part in the process of election.

3. A counter affidavit has been filed on behalf of the University, stating in paragraph 9 as follows:-

“9. That, it is also relevant to state here that, the scheduled election will be held as per recommendation mentioned in paragraph no. 6.2.2 of Sri J.M. Lyngdoh Committee report. The voter list will be published by the respective colleges as well as Dean faculties on or before 26.09.2017 and the election will be held directly of College and University Departments by the dean faculties and indirectly at the level of the University. Undisputedly the name of students of Degree Part-III of Session 2015-16, Degree part-II of Session 2016-17



and Degree Part-I of Session 2017-18 shall be included in the voter list. Similarly all the students of MBA and MCA, who are on roll during the period of election, will be included. And at the level of Master Degree course the students of Semester I Session 2015-17 and Semester III of the session 2014-16 will be the voters of the scheduled election, because in a year there is no occasion to run more than two semester courses. In such circumstances, all the students who are eligible, will be included in the voter list and no one will be left. It is respectfully and humbly submitted that, even if by mistake any regular student who are in roll in left in voter list, he will have liberty to cast his vote by presently his identity card at the time to voting. In such circumstances it is very much clear that the answering University has taken each and every possible steps to conduct to students Union election 2017 on schedule date.”

4. In view of what has been stated in paragraph 9 of the counter affidavit, no further order need be passed as the petitioner



shall have the right to participate in the process of selection and cast his vote.

5. This application is, accordingly, dismissed.

(Chakradhari Sharan Singh, J)

Praveen-II/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	10.10.2017
Transmission Date	N/A

