

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.3556 of 2016

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1. Om Prakash, son of Satrugan Prasad Singh, resident of Mohalla Society Colony, Prabhunath Nagar, P.S. Chapra Mufasil, District-Saran.

.... Petitioner

Versus

1. The Jai Prakash University, Chapra, through its Registrar.
2. The Vice Chancellor, Jai Prakash University, Chapra.
3. The Registrar, Jai Prakash University, Chapra.
4. The Controller of Examination, Jai Prakash University, Chapra.

.... Respondents

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Appearance :

For the Petitioner : Mr. Sanjay Kumar Singh

For the Respondents : Mr. Hansraj

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER**

3 17-04-2017 Heard learned Counsel for the parties
concerned.

 This writ application has been filed seeking direction to the respondents to grant Ph.D. degree in subject 'Bhojpuri', for which he claims to be entitled to in the facts and circumstances of the case.

 The facts are not in dispute. The petitioner was registered student of Veer Kunwar Singh University, Ara, and he had obtained M. A. degree from the said University. In the year 2008, he applied for Ph.D. registration test, held by Jai Prakash University, Chapra, and he finally qualified. For the purpose of the Ph.D. registration, he



submitted his synopsis on 28.02.2009. He was registered as Ph.D. Research Scholar, on 11.05.2010. By a notification, dated 11.05.2010, issued by the Controller of Examination, Jai Prakash University, Chapra, the petitioner was directed to submit his thesis within any time not earlier than two years and not after four years from the date of his registration as Ph.D. Research Scholar.

This is not in dispute that the petitioner did not submit his thesis within four years nor did he apply for extension of time for submission of thesis. There is representation filed by him on 18.05.2015, which has been brought on record by way of Annexure-5 to the writ application, wherein he requested the Controller of Examination and the Registrar of the University to allow him to be registered as student of the University. This is to be noted that the petitioner was earlier registered as student of Veer Kunwar Singh University, Ara, and for being registered as student of Jai Prakash University, Chapra, he was required to obtain a migration certificate from his previous University for the purpose of his registration in Jai Prakash University, Chapra. It seems that the petitioner has so far not produced his migration certificate. The question of registration as student with Jai Prakash University, Chapra, would have arisen only after



migration certificate was issued by Veer Kunwar Singh University, Ara. Unless he is registered as student of Jai Prakash University, Chapra, there would have been no question of award of any degree in his favour by the said University.

A counter affidavit has been filed on behalf of the Jai Prakash University, Chapra, stating that as per the regulation of the University, governing award of Ph.D. degree, as contained in University Memo No. C/4094, dated 25.06.2005, the validity of Ph.D. registration is for a maximum period of four years, which may be extended for another two years. The extension can be granted if an application is made in this regard and forwarded by the Dean of Faculty concerned. It specifically provides that in no case, extension of time will be given to any research scholar after six years. After six years, a candidate may apply for fresh registration on the same topic or a changed topic.

It is not the case of the petitioner that he ever applied for extension of time for submission of thesis immediately after completion of four years and, therefore, no relief, as sought for in the present application, can be allowed.

However, it will be open to the University to



consider the petitioner's case for extension of time for submission of thesis in view of the representation made by the petitioner on 27.05.2015.

The Court has not made any comment on the petitioner's claim for extension of period for submission of thesis.

This application stands disposed of accordingly.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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