

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 1709 of 2017

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Aditya Kumar Shahi, S/o Shikant Shahi, R/o Village - Barkrisirsiya,
P.S. - Bheldi, District - Saran. Petitioner.

Versus

1. Jay Prakash Vishwavidyalay (University), Chapra through its Registrar.
 2. The Vice Chancellor, Jay Prakash Vishwavidyalaya (University), Chapra.
 3. The Registrar, Jay Prakash Vishwavidyalaya (University), Chapra.
 4. The Controller of Examination, Jay Prakash Vishwavidyalaya (University), Chapra.
 5. The Principal Deoraha Baba Sridhar Das Degree (D.B.S.D.D.) College, Rampur (Kadana), Garakha, Saran. Respondents.
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Appearance :

For the Petitioner : Mr. Anant Kumar Bhaskar, Adv.

For the Respondents: Mr. Hansraj, Adv.

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

Date: 06-03-2017

Heard learned counsel for the petitioner and the J.P.

University.

The grievance of the petitioner is that he passed B.Sc. Examination and, thereafter, has taken admission in B.Ed. course and for his registration, Migration Certificate is required but the University is not granting.

Counter affidavit has been filed on behalf of the J.P. University, Chapra stating that number of seats in the Honours class of a subject in which no practical course is prescribed was fixed but his college has taken admission more than the seats.

In my view, after passing the examination, Migration Certificate cannot be denied as it cannot be ascertained that it was



the petitioner whose admission was taken beyond the sanctioned seats.

However, it is also submitted that some vigilance inquiry is being made regarding grant-in-aid.

In my view, such inquiry also cannot come in the way of granting such certificate.

Accordingly, this Court *ex debito justitiae* would direct the J.P. University, Chapra to immediately issue Migration Certificate of the petitioner if he was a registered student and has passed the examination concerned.

It is expected that the whole exercise would be completed within a period of two weeks from the date of receipt/production of a copy of this order.

It is made clear that this order would not come in the way of the result of any inquiry or any decision which would be taken by the University or any other competent authority in such matter.

In the result, this writ petition stands allowed.

(Dr. Ravi Ranjan, J.)

Vikash/-

AFR/NAFR	NAFR
CAV DATE	NA
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Transmission Date	NA

