

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.11899 of 2017

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Rohit Tiwary through his father and legal Guardian Babudhan Tiwary Resident of Village- Lahari Tiwari Dih, P.S.- Piro, District- Bhojpur, Bihar.

.... Petitioner/s

Versus

1. The Union of India , through Secretary, Department of Human Resources Development, Government of India, Shastri Bhawan, Dr. Rajendra Prasad Road, New Delhi.
2. The Central Board of Secondary Education, through its Chairman, Shiksha Kendra-2, Community Centre, Preet Vihar, Delhi- 110092
3. The Executive Director (JAB), Joint Entrance Examination (Main) Unit, Central Board of Secondary Education.
4. The Director, National Institute of Technology, Patna.
5. The Reporting Centre Module Officer, National Institute of Technology, Patna.
6. The Deputy Centre In-charge Joint Seat Allocation Authority, National Institute of Technology, Patna.
7. The Chairman, CSAB, Malviya Institute of Technology, Jaipur, Rajasthan

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kumar Singh, Adv.
For the Respondent/s : Mr. S.D SANJAY (ADDL. SOC. GEN.)
For Respondents no. 4 to 6 : Mr. Y.V. Giri, adv.
Mr. S.K. Giri, Adv.
For Respondent no. 7 : Mr. Arbind Kumar Tiwary, Adv.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL JUDGMENT

Date: 30-11-2017

Heard the parties.

The petitioner is aggrieved by letter dated 06.07.2017 issued by the Deputy Centre Incharge, National Institute of Technology, Patna whereby the seat allotted in his favour for pursuing B.Tech course in the School of Engineering, Tezpur University, Napaam, Tezpur has been cancelled.

The petitioner was a candidate for admission and had claimed reservation on the ground of his hearing impairment at 41%. It transpires that a certificate in support of his disability was issued



which on verification was found to be doubtful.

It is the case of the petitioner that the disability certificate was issued by one Dr. N.K. Singh of P.M.C.H. which was wrongly read as Dr. A.K. Singh by the authorities and on that basis verification had been done, and it was reported that there was no such doctor as Dr. A.K. Singh, Associate Professor, Department of E.N.T., Patna. It is the case of petitioner that subsequently, the Incharge Medical Officer, Piro, Bhojpur intimated to the Deputy Centre Incharge, N.I.T., Patna about the mistake and confirmed that it was Dr. N.K. Singh of P.M.C.H. who had put his signature with his seal and not Dr. A.K. Singh.

This is admitted position that academic session has already begun. The seats have already been occupied by other candidates. The Supreme Court has put specific bar on allowing admissions beyond the cut-off date fixed for the professional and technical courses.

This court in such circumstance cannot consider issuance of any direction for admission of the petitioner in the said course, as the cut-off date has already expired.

This application is accordingly dismissed.

(Chakradhari Sharan Singh, J)

Vinita/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	05.12.2017
Transmission Date	NA

