

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.5399 of 2013

IN

Civil Writ Jurisdiction Case No. 2413 of 2013

- =====
1. Ravi Shankar Son Of Sri Durgesh Nandan Pandey Resident Of Mohalla - Gulabbagh, Police Station - Sadar Purnea, District - Purnea
 2. Suresh Prasad Raj Son Of Laxshman Prasad Raj Resident Of Village - Dahiyaw, Police Station - Durgauti, District Kaimu (Bhabhua)

.... Petitioner/s

Versus

1. The B.N.. Mandal University Through Its Vice-Chancellor, Madhepura
2. Vice Chancellor, B.N. Mandal University Through Its Registrar, Laloo Nagar, Madhepura
3. Registrar, B.N. Mandal University Through Its Registrar Laloo Nagar, Madhepura
4. Controller Of Examination, B.N. Mandal University Through Its Registrar, Laloo Nagar, Madhepura
5. Officer - On - Special Duty, Technical, B.N. Mandal University Through Its Registrar, Laloo Nagar, Madhepura
6. Millia Titute Of Technology, Through Its Director, Rambagh, Purnea
7. Director, Millia Institute Of Technology, Rambagh, Purnea

.... Respondent/s

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Appearance :

For the Petitioner : Mr. Pramod Rajpati, Advocate.
For the Respondents : Mr. Arbind Kumar, Advocate.
For the University : Mr. Shashi Bhushan Singh, Advocate.

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CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL JUDGMENT

Date: 09-11-2017

This application has been filed for restoration of C.W.J.C. No. 2413 of 2013 which was dismissed for want of prosecution on 06.02.2013.

Keeping in view the facts and circumstances of the case and the nature of relief prayed for in C.W.J.C. No. 2913 of 2013 and the detailed counter affidavit filed by the University in these



proceedings which, in fact, is a counter affidavit with regard to the merits of the claim made by the petitioner in the writ petition, this Court considering the fact that this application is pending for more than four years, proposes to deal with the issue with regard to the fact as to whether any useful purpose would be served now by restoring the writ petition.

In the writ petition, the petitioners came out with the case that their results for 4th/final year, Bachelor of Technology (B. Tech.) Examination has not been declared. The same be declared and certificates be issued to them. In the counter affidavit, now, filed by the respondent no. 1 to 5 they have referred to the regulations applicable for conduction of examination based on the regulations formulated with the Bihar State Engineering and Pharmaceutical Educational Institutions (Regulation and Control) Act, 1982 and the provisions of All India Council for Technical Education Act, 1987 and various reasons have been given to the same. Taking note of the aforesaid, this Court does not want to restore the writ petition to its original file now. In case the petitioners have any grievance still subsisting, they may approach the appropriate forum.

Now considering the fact that this application is pending for more than four years and no useful purpose would be served by restoring the writ petition finding no case made out for restoration of



the application, this application is disposed of with the aforesaid liberty.

(Rajendra Menon, CJ)

KKSINHA/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	20.11.2017
Transmission Date	NA

