

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17216 of 2017

-
-
1. Shams Teachers Training College, Katahari, Post Office and Police Station – Sathi, District – West Champaran (Bettiah), through Secretary Obaidur Rahman, son of Md. Anisur Rahman, resident of Qazinagar, Phulwarisharif, Police Station – Phulwarisharif, District Patna
 2. Royal Heritage College of Education, Rajashan, Mahnar Road, Police Station – Bidupur, district Vaishali (Hajipur), through Secretary Nitin Kumar, son of Late Nageshwar Prasad Singh, resident of Dadiyes Sweet Lane, Boring Road, Patna, Police Station – A. N. College, Patna, District Patna

... .. Petitioners

Versus

1. The Maulana Mazharul Haque Arabic & Persian University, Patna, 34 Ali Imam Path (Harding Road), Patna – 800001, through Registrar
2. The Vice Chancellor, Maulana Mazharul Haque Arabic & Persian University, Patna, 34 Ali Imam Path (Harding Road), Patna – 800001
3. The Registrar, Maulana Mazharul Haque Arabic & Persian University, Patna, 34 Ali Imam Path (Harding Road), Patna – 800001
4. The Examination Controller, Maulana Mazharul Haque Arabic & Persian University, Patna, 34 Ali Imam Path (Harding Road), Patna – 800001
5. The National Council for Teacher Education, Eastern Regional Committee, 15, Neelakantha Nagar, Nayapalli, Bhubaneswar - 751012 (Odisha), through Regional Director

... .. Respondents

Appearance :

For the Petitioner/s	:	Mr. Niranjan Kumar
For the University	:	Mr. Rashid Izhar
For the NCTE	:	Mr. Sunil Kumar singh

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 24-11-2017 Heard learned Counsel for the parties concerned.

The petitioners are the Teachers Training Colleges. It appears that they allowed admission in their institutions to students without any common entrance test, held for the said purpose.

This Court, in the case of **Mirza Ghalib T. T. College, Patna and Others v. The State of Bihar and Others**, reported



in **2017 (1) PLJR 259**, has specifically held that such procedure of allowing admission by individual institutions cannot be approved.

Learned Counsel appearing on behalf of the petitioners has submitted that these institutions had allowed admission in their colleges on the basis of respective marks scored by the candidates in the qualifying examination. It has also been submitted that in some of the cases, in the background of interim orders passed by this Court, some students in other institutions were allowed admission and they have been allowed to pursue their course under the orders of the Supreme Court and, therefore, the students of these colleges admitted without any common entrance test should be allowed to appear for the examination.

Submission is wholly unfounded for the reason that those institutions, which the learned Counsel for the petitioners is referring, had come to this Court and under certain interim order passed by this Court, they were permitted to give admission, subject to the final result of the case. In that background, under the orders of the Supreme Court, those students, admitted in view of the interim orders passed by this Court, have been allowed to pursue their course. This is not in dispute that the



petitioners had never approached this Court and there could be no question of any interim order passed in their favour.

In my view, the petitioners' case is squarely covered by a recent decision of this Court, dated 11.08.2017, passed in **Surendra B. Ed. Teachers Training College v. The State of Bihar, through Chief Secretary, Government of Bihar and Others (CWJC No. 7972 of 2017).**

This application has no merit and is accordingly dismissed.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

U	✓		
---	---	--	--

