

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2041 of 2017

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Pankaj Prasoon, Son of Sri Birendra Prasad, Resident of Village+ P.O.- Arai Keshopur, P.S.- Atari, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Director, Secondary Education, Government of Bihar, Patna.
4. The District Education Officer, Jamui.
5. The District Programme Officer, Education, Establishment, Jamui.
6. The Magadh University through its Registrar, Bodh Gaya, Gaya.
7. The Vice Chancellor, Magadh University, Bodh Gaya, Gaya.
8. The Registrar, Magadh University, Bodh Gaya, Gaya.
9. The Examination Controller, Magadh University, Bodh Gaya, Gaya. null null
10. The Principal, S.K.M., College, Nawada.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Prabhat Ranjan Singh
		Mr. Kanhaiya Pandey
For the State	:	Mr. Ashutosh Ranjan Pandey -AAG-15
		Mr. Vinay Kumar Mishra, AC to AAG-15
For the Magadh University	:	Mr. Ritesh Kumar

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

6 16-04-2018 Heard counsel for the parties.

This writ application has been filed seeking direction to the respondent-Magadh University to make necessary correction in the 2nd T.R. Register of the petitioner of B.Sc. Part-1 examination 1997 bearing Roll No. NAW 7332 and issue corrigendum accordingly.

It is the case of the petitioner that though he had passed the examination in first division, he has been declared 'fail' in B.A.(Hons.) examination. In support of his plea, he has



brought on record schedule of marks prepared on the basis of tabulation register duly verified by the in-charge Principal Shri Krishna Memorial College, Nawada. The said schedule of marks is said to have been prepared on the basis of entries at page 17 of the main tabulation register.

When the matter was taken up on 24.01.2018, the University was directed to verify as to whether any schedule of marks was ever issued by the University as has been brought on record by way of Annexure-7 to this writ application.

An affidavit has been filed stating, on the basis of the tabulation register available in the examination department, that the petitioner had, in fact, failed in the said examination. The main tabulation register has been produced by the learned counsel for the University. I have perused page 17 of the said tabulation register which does not contain the petitioner's name. The petitioner's name is at page 45 of the said tabulation register in which he is shown to have failed. The attested copy of the tabulation register is available with the college. Copy of the relevant portion of the tabulation register, attested by the same Principal of S.K.M. College, Nawada, has also been produced before this Court by the learned counsel for the University to demonstrate that there was nothing available with



the college to issue attested schedule of marks by the Principal of the college which has been brought on record by way of Annexure-7 to the application.

After having seen the main tabulation register, I am of the view that no relief sought in the writ application can be granted. This application is accordingly dismissed.

Before I close the order, I consider it appropriate to direct the Vice-Chancellor of the Magadh University to cause an inquiry as to in what circumstances the in-charge principal of the college had attested the schedule of marks brought on record by way of Annexure-7 to the writ application. If any lapse is found in such inquiry on the part of the principal of the college on any other employee of the college, teaching/non-teaching, leading to issuance of attested copy of the schedule of marks, the Vice-Chancellor shall be obliged to take appropriate action against them.

(Chakradhari Sharan Singh, J)

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