

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.4375 of 2017

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1. Sityog Institute of Technology, Industrial Growth Center, Jasoia More, Aurangabad, Bihar- 824101 through its Secretary, Rajesh Kumar Singh, Son of Sri Kumar Yogendra Narayan Singh, Resident of Mohalla- New Area, Gyanpuri Road, At + Post + P.S. Aurangabad Town, District- Aurangabad.
2. Rupesh Kumar, Son of Binay Kumar Tiwari, Resident of Village + P.O. Ranka Bauila, P.S. + District- Garhwa (Jharkhand).
3. Md. Shahbaz Khan, Son of Md. Nasimuddin Khan, Resident of Village- Islam Toli, P.S. Aurangabad Town, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Science and Technology, Govt. of Bihar, Patna.
2. The Admission Supervisory Committee through its Member Secretary-cum-Principal Secretary of Science and Technology Department, Govt. of Bihar, Patna.
3. The Director, Department of Science and Technology Department, Govt. of Bihar, Patna.
4. The State Board of Technical Education through its Secretary, Department of Science & Technology, Vishveshraiya Bhawan, Bailey Road, Patna.
5. The Controller of Examination-cum-Member Secretary, the State Board of Technical Education, Patna.
6. Bihar Private Technical & Professional Institutions Association through its Chairman, C/O- G-102, Ranjeet Complex, Talpetra Lane, Budh Marg, P.S.- Kotwali, Patna- 800001.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Adv.

For the Respondent/s : Mr. Kumar Alok, SC-7

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL JUDGMENT & ORDER

Date: 03-01-2018

Following are the reliefs sought in the present writ
application:-

(i) Issuance of a writ in the nature of writ of certiorari to quash/set aside the notification/order dated- 18.08.2016 vide its letter No. 2853 as contained in Annexure-6 of this writ application, whereby and whereunder the respondent Nos. 4 and 5 have refused to register the students of petitioner's college for appearing in the Ist Semester of Polytechnic course in a most arbitrary and malicious manner on the ground that such students have been admitted in the Polytechnic colleges without any entrance examination.

(ii) Issuance of a writ in the nature of writ of certiorari to set aside the letters dated 09.08.2016 by the Department



of Science & Technology, Govt. of Bihar, whereby and whereunder the Department issued direction to the Respondent No. 5 not to proceed with the 2nd Phase of the Entrance Examination for Polytechnic course as contained in Annexure- of this writ application.

(iii) Issuance of a writ again in the nature of writ of Mandamus commanding the respondent authorities especially Respondent Nos. 4 and 5 to hold re-examination for those students of the petitioner college who were denied opportunity to appear in the Ist Semester, Polytechnic examination for no fault on their part as it is respondents 3 and 4 who did not allow the Respondent No. 5 to hold the 2nd phase of the Polytechnic entrance examination.

(iv) Issuance of any other writ/ writs, order/ orders, direction/ directions to grant relief/ reliefs to which the petitioner may be entitled to in the facts and circumstances of the case.



2. The issue involved in the present writ application has already been decided by this Court in case of **Netaji Subhas Institute of Technology Vs. The State of Bihar & Ors.**, reported in **2017(4) PLJR 975**.

3. This writ application is, accordingly, dismissed.

(Chakradhari Sharan Singh, J)

Praveen-II/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	11.01.2018
Transmission Date	N/A

