

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.577 of 2018

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Hari Ballav Pandit, Son of Late Sukdeo Pandit, Resident of Mohalla
Karhariya, P.O. and P.S. Banka, District-banka

... .. Petitioner/s

Versus

1. T. M. Bhagalpur University, Bhagalpur through its Registrar.
2. Vice Chancellor, T.M. Bhagalpur University, Bhagalpur.
3. Registrar, T.M. Bhagalpur University, Bhagalpur.
4. Controller of Examinaiton, T.M. Bhagalpur University, Bhagalpur.
5. Incharge Research Council, T.M. Bhagalpur University, Bhagalpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Mritunjay Prasad Singh
For the Respondent/s : Mr. Shailendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 15-05-2018 Heard learned counsel for the parties.

2. The facts of the present case as asserted in the writ application is narrative of the state of affairs prevailing in the Institutions of higher studies in the State of Bihar. The petitioner has a grievance against letter No. Res/6900 dated 04.09.2012, written by the Controller of Examination, Tilka Manjhi Bhagalpur University, Bhagalpur, wherein it has been mentioned that he was registered for Ph.D. Course with the University on 21.05.2008, having registration No. 5641 of 2008. The letter indicates that the petitioner could have submitted his thesis two years after the date of registration and within five years from the date of registration. He was accordingly,



informed that if he failed to submit his thesis within five years from the date of registration, his registration would be treated to be automatically cancelled. The said letter has been brought on record by way of Annexure-4 to the writ application. The date of the letter on the top has been mentioned as 04.09.2012. The Controller of Examination has put the date of signature as 16.09.2010. This situation, in Court's view, cannot be reconciled, which must be looked into by higher authorities under the Bihar State Universities Act, for the purpose of considering action against the erring persons.

3. This is only one aspect of the matter.

4. As has been noted above, the petitioner got himself registered for Ph.D. Course on 21.05.2008. He had not completed his Post Graduation by that time. It appears from the documents, which have been brought on record that the petitioner was in LLM Course in the year 1997, since it appears from Annexure-3 to the writ application that he had appeared in LLM Part-I examination held by the University in the year 1997. He passed LLM Part-II examination held in 2010 on the basis of result published on 31.05.2011 as is evident from Annexure 3(1) of the writ application. He was pursuing his Course in T.N.B Law College, Bhagalpur. The provisional



certificate of having passed LLM/PG Course was issued on 01.09.2012.

5. The Court fails to understand as to in what circumstance the petitioner got himself registered for Ph.D. Course in the University without having obtained the Post Graduation degree. He, rather, obtained his Post Graduation degree nearly four years after he was registered as Ph.D. Scholar.

6. After having received the said notice dated 04.09.2012, the petitioner, by his representation dated 15.04.2013, sought extension of time for submission of his thesis. Four years thereafter, he again filed a representation before the Controller of Examination on 11.07.2017 for re-registration. These documents have been brought on record by way of Annexures 5 and 6 to the writ application.

7. The statements which have been made in the writ application, as noted above do not make the petitioner entitled for any relief as sought. The statements rather go to indicate bunglings in Ph.D. registration in the University.

8. In normal case, I would have asked the Vice-Chancellor of the University to enquire into the matter and take appropriate action against the persons responsible, leading to the



situation as indicated above. However, considering the gravity of the matter, I would rather request the office of the Chancellor of the Universities of Bihar to get this matter and other similar matters inquired into at the high level and ensure that the sanity and sanctity of higher education system is maintained.

9. It is observed that the petitioner shall be given an opportunity to place his points before any Committee to be constituted to enquire into the matter.

10. This application is dismissed but with the observation as above.

11. Let this order be communicated to the Chancellor of the Universities of Bihar, Raj Bhawan, Patna.

(Chakradhari Sharan Singh, J)

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