

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.15363 of 2017**

Chandan Kumar, S/o Uday Shanker Prasad Nirala, Resident of Village-  
Rautnia, P.O. Chamarua, P.S. Karja, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The Union of India, Ministry of Human Resource Development, Shastri Bhawan, Dr. Rajendra Prasad Road, New Delhi, through its Secretary.
2. Central Seat Allocation Board, National Institute of Technology, Patna, Ashok Rajpath, Patna, Bihar- 800005, through its Director Asok De.
3. Joint Seat Allocation Authority (JOSAA) Indian Institute Technology, Guwahati 781039, Assam, through its Chairman.
4. Joint Seat Allocation Authority (JOSAA) Indian Institute Technology, Guwahati 781039, Assam, through its Co-Chairman.

... .. Respondent/s

**Appearance :**

|                       |   |                                           |
|-----------------------|---|-------------------------------------------|
| For the Petitioner/s  | : | Mr. Rakesh Kumar Srivastava               |
| For e Respondent No.2 | : | Mr.Mr. Y.V.Giri, Sr. Adv.<br>Mr. S.K.Giri |
|                       |   | Mr. S.D.Sanjay, Addl. Solicitor General   |
| For Respondent No.1   |   | Mr. Sujit Kumar Singh, CGC                |

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

ORAL ORDER

4      27-02-2018              Heard counsel for the parties.

This application has been filed seeking direction to the respondents to hold and organize Special Counselling (Spot Round) for filling up a large number of vacancies of seats in various National Institute of Technology (NIT) for the academic year 2016-17 and further for seeking direction that the respondents-authorities may not deviate from the formulated policy for holding Special Counselling as already held in the past for the sessions 2015-16 and 2017-18.



The petitioner had appeared in the Joint Entrance Examination in May, 2016 and on the basis of the result and subsequent counselling he has been allotted National Institute of Technology situated in Srinagar town, Utrakhand in the branch of Computer Science and Engineering on 19.07.2016.

This writ application has been filed nearly 16 months after the petitioner had taken admission in NIT at Srinagar town, Utrakhand.

Learned counsel appearing on behalf of the petitioner has failed to show any legal basis for the relief as sought in the writ application.

In any view of the matter, the relief sought in the present writ application cannot be entertained in view of the repeated directions of the Supreme Court and its judgment in case of **Parshivanath Charitable Trust vs. All India Council for Technical Education**, reported in **(2013) 3 SCC 385**.

This order, however, will not preclude the petitioner from applying for his transfer or migration from the Institution if the rules permit such transfer or migration from one Institution to another in the midst of session.



This application stands disposed of in terms of above.

**(Chakradhari Sharan Singh, J)**

HR/-

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