

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.9183 of 2017

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Sunita Kumari, D/o Shri Yog Narayan Lal Dutta, resident of Village-Sibaiya, P.O.-Mahen, P.S.-Singhiya, District-Samastipur, present address-W/o Sanjay Lal Karn, Village + P.O.-Shivdaspur, P.S.-Katra, District-Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Department of Human Resources, Government of Bihar, Patna.
2. The Principal Secretary, Department of Human Resources, Government of Bihar, Patna.
3. The Director, Primary, Secondary and Adult Education, Government of Bihar, Patna.
4. Lalit Narayan Mithila University, through its Vice Chancellor, Kameshwaranagar, Darbhanga.
5. The Vice-Chancellor, Lalit Narayan Mithila University, Kameshwarnagar, Darbhanga.
6. The Registrar, Lalit Narayan Mithila University, Kameshwarnagar, Darbhanga.
7. The Examination Controller, Lalit Narayan Mithila University, Kameshwaranagar, Darbhanga.
8. The Eastern Regional Committee, National Council for Teacher Education (N.C.T.E.), through its Chairperson, 15, Nilakanth Nagar, Nayapalli, Bhubaneshwar-751012.
9. The Regional Director, Eastern Regional Committee, National Council for Teacher Education (N.C.T.E.), 15, Nilakanth Nagar, Nayapalli, Bhubaneshwar-751012.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rabindra Nath Kanth, Adv.



For the State : Mr. Amit Bhushan, AC to GP-17
For the NCTE : Mr. Sunil Kumar Singh, Adv.
For the University : Mr. Ajay Behari Sinha, Adv.
Mr. Nadim Seraj, Adv.
Mr. Neeraj Raj, Adv.

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

ORAL JUDGMENT & ORDER

Date: 25-01-2018

Heard the parties.

2. The petitioner seeks quashing of an order, dated 29.02.2000, issued by the Examination Controller, Lalit Narayan Mithila University, Kameshwarnagar, Darbhanga, to the extent it relates to the petitioner being student of S.M. Zareef College of Education, Darbhanga. By the said notification, the admissions undertaken, the B.Ed. Examination, conducted in the year 1998, publication of result, issuance of marks sheet and the provisional certificate of the students of the four institutions, mentioned in the said notification including the said S.M. Zareef College of Education, Darbhanga, had been cancelled with retrospective effect.

3. This is not in dispute that the said letter, dated 29.02.2000, was quashed by this Court by an order, dated 28.03.2008, passed in C.W.J.C. No. 2407 of 2000 and C.W.J.C. No. 11964 of 2000, reported in **2008 (3) PLJR 131**



(Fakhruddin Ali Ahmad Teachers' Training College & Anr. Vs. The State of Bihar & Ors.).

4. On perusal of the said notification, dated 29.02.2000, it was apparent that it was in relation to four teachers training colleges including the present S.M. Zareef College of Education, Darbhanga. Consequent upon quashing of the order by this Court, in case of **Fakhruddin Ali Ahmad Teachers' Training College** (*supra*), the University came out with a notification, dated 13.07.2010, only with respect to Fakhruddin Ali Ahmad Teachers' Training College and not with respect to other three colleges including S.M. Zareef College of Education, Darbhanga.

5. The students of another college, *i.e.*, S. Wakil Ahmad Teachers' Training College, Laheriasarai, Darbhanga, had approached this Court, relying on the decision of this Court in case of **Fakhruddin Ali Ahmad Teachers' Training College** (*supra*), with the plea that quashing of the notification, dated 29.02.2000, by the High Court, cannot be treated to be confined to said Fakhruddin Ali Ahmad Teachers' Training College only, since the entire notification was quashed by this Court.

6. Considering the said aspect of the matter, this Court by the judgment and order, dated 24.04.2017, passed in C.W.J.C. No. 13108 of 2016 (**Devendra Prasad & Ors. Vs. The State of Bihar & Ors.**), observed that the order



impugned in the said notification stands already quashed by this Court in the judgment and order in case of **Fakhruddin Ali Ahmad Teachers’ Training College** (*supra*) and, accordingly, the University was required to issue notification with respect to S. Wakil Ahmad Teachers’ Training College, Darbhanga, also along with Fakhruddin Ali Ahmad Teachers’ Training College.

7. Following the decisions of this Court, in case of **Fakhruddin Ali Ahmad Teachers’ Training College** (*supra*) and **Devendra Prasad** (*supra*), this application is disposed of with a direction to the University to issue similar notification with respect to the college in question, *i.e.*, S.M. Zareef College of Education, Darbhanga, in compliance of this Court’s order in case of **Fakhruddin Ali Ahmad Teachers’ Training College** (*supra*), which must be done within a period of two weeks from the date of receipt/production of a copy of this order.

8. The application stands disposed of accordingly.

(Chakradhari Sharan Singh, J)

Praveen-II/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	29/01/2018
Transmission Date	N/A

