

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16166 of 2017

Shivam Kumar, Son of Maheshwar Prasad Singh, Resident of Village:
Yarpur, P.S.: Gardanibagh, District: Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Govt. of Bihar, Patna.
2. Magadh University, Bogh Gaya through its Registrar.
3. The Vice-Chancellor, Magadh University, Bodh Gaya, District Gaya.
4. The Registrar, Magadh University, Bodh Gaya, District Gaya.
5. The Controller of Examination, Magadh University, Bodh Gaya, District Gaya.
6. Officer on Special Duty (Judl.), Governor Secretariat, Bihar Raj Bhawan, Patna.
7. Principal, Mirza Ghalib Teachers Training College, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Md. Imtiyaz Hussain
For the Respondent/s : Mr. (Dr.) Kumar Amitesh Chandra

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

4 09-05-2018 The petitioner is a student of B. Ed., pursuing his course in Mirza Ghalib Teachers Training College, Patna. Admittedly, he has failed in one of the papers, i.e. 'Learning and Teaching' of his 1st year examination. Under the examination Regulations, however, he had been promoted to 2nd year. Under the said Regulations, he is required to clear the said paper before he is allowed to appear for the final examination.

The petitioner, in the writ application, has questioned the validity of Clauses 4.7 and 5.4 of the Regulation and Ordinance for Admission in 2-Year Bachelor of Education



(Secondary) Programme under the Universities of Bihar, which has been framed under Section 38 of the Bihar State Universities Act, 1976. The Regulations are statutory in nature. No case has been made out by the petitioner in the present application, which can raise question of validity of the said statutory provisions. The petitioner had to clear remaining papers of 1st year before he could be allowed to appear in the final year examination.

Learned Counsel for the petitioner states that the petitioner had already appeared for the said paper, in which he had failed in the first year examination. The result has, however, not been published.

This application is disposed of with an observation that if the petitioner clears the said paper of 1st year, he shall be allowed to appear for the final year examination in accordance with the provisions under the Regulations and any other law applicable for the said purpose.

Prabhakar Anand/-

(Chakradhari Sharan Singh, J)

U	✓		
---	---	--	--

