

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17975 of 2018

1. Sattar Memorial College of Education, Hazi Harman Road, Phulwari Sharif, Police Station-Phulwari Sharif, District-Patna, through the Secretary, Hazi Khurshid Hassan, Son of Late Md. Ahsan, Resident of Mahatawana Phulwari Sharif, Police Station-Phulwari Sharif, District-Patna.
2. Sri Bhagwat Prasad Singh Memorial B.Ed. College, Deo More, G.T. Road, Aurangabad, through the President Abhay Kumar, Son of Late Bhagwat Prasad Singh, New Area, Beldari Toal, Gaya.
3. Maa Kamla Chandrika Jee Teachers's Training College, C. Nagar, Nauru, Jehanabad, through the Secretary D.r Sanjay Kumar, Son of Dr. Chandrika Prasad, Resident of 102 – Chandra Kunj Apartment, Exhibition Road, Chowk, Patna.
4. Mirza Galib Teacher's Training College, Ghazachak, Mohammadpur, Janipur, Patna through its Principal Dr. Sahaja Nand Sharma, Son of Sri Amresh Sharma, Resident of village-Barahgama, Nalanda (Bihar).
5. Patliputra Teacher's Training College, Madhopur, Phulwari Sharif, Patna through the Secretary Fakhruddin Ali Ahmad, Son of Late Md. Badruddin, Resident at Dargah Ghera, Mahendru, Sultanganj, Patna.
6. Bihar College of Teacher Education, Samanpura, Patna through the Secretary Asif Ali Khan, Son of Late Idris Khan, Resident at Samanpura, Police Station-Shashtrinagar, District-Patna.
7. Bhagwan Prasad Sheonath Prasad B.Ed. College, village-Kera, Daudnagar, Aurangabad (Bihar), through the Secretary Dr. Prakash Chandra, Son of Bhagwan Prasad, Resident of Bhakharuan More, Police Station-Daudnagar, District-Aurangabad (Bihar).
8. Bibi Asia Teachers' Training college, Madhopur, Phulwari Sharif, Patna through the Secretary Fakhruddin Ali Ahmad, Son of Late Md. Badruddin, Resident at Dargah Ghera, Mahendru, Sultanganj, Patna.
9. Siddartha Teacher Training college, Court Area, Jehanabad, through the Secretary Dr. Ajay Kumar, Son of Dr. Chandrika Prasad, Resident of 101, Chandra Kunj Apartment, Exhibition Road, Chowk, Patna.
10. D.P.S. College of Education, Dubhai, Gaya, through the Secretary Devendra Kumar Pathak, Son of Gopal Pathak, Resident of 439, A.P. Colony, Gaya.
11. Gyan Bharti College of Education, Raniganj, Tekari, Gaya, through the Secretary Arun Kumar, Son of Arjun Prasad Singh, Resident of 271, A.P. Colony, Gaya.
12. Al-Fatima Educational Society B.Ed. College, gonpura, Phulwari Sharif, Patna through the Secretary Asadullah Khan, Son of Abdul Ohab Khan, Resident of 162- Grand Aparatment, Fraser Road, Patna.
13. Dasrath Prasad Ramnandan Prasad B.Ed. College, Street No. NH-98, village-Chitragopi, Post Officer-Padrawa, Aurangabad Town, district-Aurangabad, through the Secretary Shambu Nath Pandey, Son of Late Ramnandan Pandey, Resident of village-Dhanibar, Police Station-Amba, District-Aurangabad (Bihar).
14. Mother's International Teacher's Training Academy, 963, Khalilpura, FCI Road, Phulwari Sharif, Patna through the Secretary Arshad Ahmad, Son of Anwar Ahmad, Resident at FCI Road, Phulwari Sharif, Patna.
15. Sri Ram Chandra Ram Laxmi Narayan Teacher Training college, Kurtha, Tehta, Jehanabad, through the Secretary Kamla Devi, Daughter of Late



Nathun Singh, Resident of 501-Chandra Kunj Apartment, Exhibition Road, Chowk, Patna.

16. Islamia Teacher's Training (B.Ed.) College, Ishapur Road, Phulwari Sharif, Patna through the Principal Rakesh Kumar Arun, Son of Late Harishchandra Prasad Singh, Resident at Adarsh Nagar, Phulwari Sharif, Patna.
17. Rameshwar Singh Teacher's Training College, Pandey Parsawa (Magadh Medical College, Kasthua Road), Gaya, through the Secretary Vinay Kumar, Son of Rameshwar Singh, Resident of Pandey Parsawa, Kasthua Road, Gaya.
18. Takshila College of Education, Abdul Rahmanpur, Hinduni, Phulwari Sharif, Patna through the Principal Dr. Savita Sinha, Daughter of Sri Shiveshwar Prasad Ray, Resident of Police Chowki Lane, Thakubari Road, Kadamkuan, Patna.

... .. Petitioners

Versus

1. The State Of Bihar
2. The Principal Secretary, Education Department, Government of Bihar, New Secretariat (Bikas Bhawan), Patna.
3. The Chancellor, Universities of Bihar, Governor's Secretariat, Governor's House, Patna through Principal Secretary to Governor, Raj Bhawan, Patna.
4. The Chancellor, Universities of Bihar, Governor's Secretariat, Governor House, Raj Bhawan, Patna.
5. The Magadh University, Bodh Gaya, District-Gaya through Registrar.
6. The Registrar, Magadh University, Bodh Gaya, District- Gaya.
7. The Examination Controller, Magadh University, Bodh Gaya, District-Gaya.
8. The HOD, Department of Education, Magadh University, Bodh Gaya, District- Gaya.
9. The Patliputra University, Mahatma Gandhi Nagar, Chitragupta Nagar, Patna-800020, through its Registrar.
10. The Registrar, Patliputra University, Mahatma Gandhi Nagar, Chitragupta Nagar, Patna-800020.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. P.K. Shahi, Sr. Advocate Mr. Niranjan Kumar
For the Chancellor	:	Mr. R. K. Giri
For the Magadh Univ.	:	Mr. P. Drepale

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 11-09-2018 The petitioners have raised the issue before this Court of arbitrary fixation of examination fees which are being charged by different Universities for conducting B.Ed.



Examination which lack uniformity and vary from Rs.1000/- to Rs.4,220/-. Whereas Maulana Mazharul Haque Arabic & Persian University, Patna is charging Rs.1000/- and Babasaheb Bhimrao Ambedkar Bihar University, Muzaffarpur is charging Rs.1200/- for each B.Ed. Examination, the Magadh University, Bodh Gaya, has fixed the said fee Rs.4,220/-. The petitioners, being teacher training institutions affiliated to Magadh University, Bodh Gaya, are raising this plea of fixation of excessive examination fee by Magadh University, for B.Ed. Examination.

The issue which has been raised in the present writ application appears to be genuine.

Mr. P.K. Shahi, learned senior counsel, appearing on behalf of the petitioners, has drawn my attention to the ordinance issued by the Office of the Chancellor earlier in respect of fixation of fees etc, to contend that the Office of the Chancellor had earlier found a sum of Rs.1,000/- per examination to be appropriate examination fee.

The Court in the present proceeding need not enter into the question as to what would be the appropriate amount to be charged against examination fee in the present proceeding. At the same time, the Court is of the view that in normal



circumstance, the fees should not vary so much i.e. from Rs.1000/- to Rs. 4,220/-.

Considering the facts and circumstances, this application is disposed of with an observation that let a decision be taken by the Office of the Chancellor as to what should be the uniform appropriate examination fee for B.Ed. Examination to be charged by the Universities in the State of Bihar governed by Bihar State Universities Act. The Court expects that the decision is taken expeditiously, preferably within a period of three months from the date of receipt/production of a copy of this order.

This application stands disposed of.

(Chakradhari Sharan Singh, J)

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