

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23911 of 2018

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Ashutosh Kumar, Son of Bharat Singh, Resident of Village-Basti Jalal, P.S.-
Dighwara, District-Saran.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary Education Department Govt. of Bihar, Patna.
2. The Jai Prakash University, Chapra through Its Registrar.
3. The Vice-Chancellor, Jai Prakash University, Chapra.
4. The Registrar, Jai Prakash University, Chapra.
5. The Controller of Examination, Jai Prakash University, Chapra.
6. The Principal, D.B.S. D.D. College, Rampur (Kadna), Garkha, Chapra.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Dhananjay Kumar Tiwary
For the University	:	Mr. Nagendra Kumar Singh
For the State	:	Mr. Madhukar Mishra AC to SC-16

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 13-12-2018 This writ application has been filed seeking direction to the respondent, Jai Prakash Vishwa Vidyalaya (University), Chapra, Saran, for issuance of original certificate of passing of Bachelor of Science, Zoology (Hons.) Examination 2010-13 as well as Registration Slip of the University to the petitioner.

In similar circumstance, certain examinees of the University had approached this Court seeking similar direction by filing writ applications. Four of such writ applications were heard together, being C.W.J.C. No. 5034 of 2017 (*Rajeev Ranjan vs. Jai Prakash Vishwa Vidyalaya (University), Chapra*) and three other analogous cases, which had been



dismissed by common judgment and order dated 05.09.2018 with the following observations:-

“It is clear from the above that only registered students of the University can be allowed to appear for B.A./B.Sc./B.Com. (General/Honours) Examination. The circumstance in which these petitioners were allowed to appear for the examination, without registration numbers having been mentioned in the Part-III examination, is unknown, but the reason is obvious.”

Appeals were preferred against the said judgment and order giving rise to L.P.A. Nos. 1402 of 2017, 1403 of 2017 and 1404 of 2017, which have been disposed of by judgment and order dated 21.06.2018. The Division Bench, while disposing of the appeals, considering extra ordinary circumstances has issued following directions to release their results:-

“Since the University authorities have allowed these appellants to pursue their studies whatever has been its worth and have held their examination and they have been promoted from one year to the next and have also finally taken the examination for the final year, no purpose would be served by allowing the University to hold back the results or issuance of



marks-sheet of these students for the final year of their studies.

The Court, therefore, under the extraordinary circumstances and keeping in mind the future of the students who may also be a victim rather than the conspirator to the whole thing are given the benefit of doubt. The University authorities are directed to release the result and issue the marks-sheet in favour of these appellants within a period of four week from the date of production of a copy of this order.”

Learned counsel for the University does not dispute that case of the present petitioner is identical to the case of the appellant of L.P.A. No. 1402 of 2017 and other analogous cases. This writ application is accordingly disposed of with the similar direction, as given by the Division Bench in case of **Rajeev Ranjan** (supra).

This application stands disposed of.

If the petitioner applies for Migration certificate, the University shall consider the same in accordance with law.

(Chakradhari Sharan Singh, J)

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