

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.742 of 2016

In
Civil Writ Jurisdiction Case No.18037 of 2014

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Abdul Waris Son of Md. Abdul Samad Akhtar, Resident of Mohalla- Gaorah
Gaarh, P.S.- Bihar Sharif, District- Nalanda ... Appellant

Versus

1. The State of Bihar through the Principal Secretary, Education Department,
New Secretariat, Government of Bihar, Patna, Bailey Road.
 2. The Vice Chancellor, Patna University, Patna at Ashok Raj Path, P.O.-
Mahendru, Patna-6.
 3. The Pro-Vice Chancellor, Patna University, District- Patna, Ashok Raj Path,
P.O.- Mahendru, Patna-6.
 4. The Head of the Department/Dean (Academic) Patna University, Patna,
Ashok Rajpath, P.O. Mahendru Ghat, Patna-6.
 5. The Dean Faculty of Engineering College, Patna University, at present
National Institute of Technology, Patna, through the Head of the Department,
Ashok Raj Path, P.O. Mahendru Patna- 6
 6. The Controller of Examination, Patna University, Patna, Ashok Raj Path, P.O.
Mahendru Patna- 6
 7. The Deputy Registrar (Examination) Patna University, Patna, Ashok Raj Path,
P.O. Mahendru Patna- 6 ... Respondents
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Appearance :

For the Appellant	:	Mr. Md. Imtiyaz Hussain, Adv.
For the State	:	Mr. Manoj Kumar Sinha, AC to GA IX
For PU	:	Mr. Manish Dhar Singh, Adv.
For respondents 8	:	Mr. Y.V. Giri, Sr. Adv. with Mr. S.K. Giri, Adv.

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

16 11-04-2018

A request was made for adjournment in the morning,
but, it was rejected on objection raised by the respondents
representing the State of Bihar, the Patna University and the
National Institute of Technology, Bihar. It has been pointed out
that the appellant is dragging the matter without any reason.

The writ petition was filed in the year 2014 and this



appeal is pending since 2016.

Having heard the learned counsel for the parties and going through the records, we find that the appellant was student of the Bihar Engineering College, which was initially functioning under the Patna University. In the year 2003-2005 the appellant registered himself with the Patna University for completing his M.Sc. in engineering and according to the statute of the Patna University the appellant was to submit his dissertation report within six months from the date of completion of first semester.

It is seen that the appellant submitted his dissertation report on 23.09.2011, which is approximately after the period of six years from the date of seeking admission in the course, in question, in the academic session 2003-2005.

The petitioner filed a representation for extension of his dissertation. After his representation was dismissed, the petition was filed. Now on going through the counter affidavits, available on record, particularly the counter affidavit of respondent no. 8, we find that the Bihar Engineering College merged with the National Institute of Technology, Bihar, in the year 2004 and after conversion of the Bihar Engineering College into the National Institute of Technology the Patna



University has also refused to accept the dissertation on the ground that it cannot be accepted after six years.

Considering the fact that the appellant submitted the dissertation in 2011 and the representation has been dismissed on account of non-submission of the same within time, we see no reason to make any reason of indulgence.

The letters patent appeal is **dismissed**.

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

Shamshad/-

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