

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7417 of 2018

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Shyam Nandan Kumar S/o Bindeshwar Rai resident of village - Madhopur
Susta, Susta, P.S. - Maripur, Dist. - Muzaffarpur and Secretary of Association
of Teachers Training College, Bihar, Registered under Society Registration
Act.

... .. Petitioner/s

Versus

1. The Chancellor of Universities of Bihar, Raj Bhawan, Patna.
2. The State of Bihar through the Chief Secretary, Patna.
3. The Principal Secretary, Education Department, Bihar, Patna.
4. The Principal Secretary to H.E. the Chancellor, Universities of Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar
		Mr. Suman Kumar
For the Chancellor		Mr. R.K.Giri
For the State		Mr. Kameshwar Kumar,GP-17

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

4 07-05-2018 In compliance of this Court's order dated
30.04.2018, a counter affidavit has been filed on behalf of
the office of the Chancellor of the Universities of Bihar.
The time schedule framed for conducting the admission
process for the State level Combined Entrance Test
(CET), going to be conducted by the Nalanda Open
University, in terms of the duly approved 'Statute for
Conducting Combined Entrance Test (CET) for all B.Ed
Colleges, affiliated to State Universities of Bihar' has
been brought on record. Following is the examination
schedule/calendar for the said CET as is available at



Annexure-B to the counter affidavit:-

Examination schedule/calendar

1.	Publication of Advertisement	17.05.2018
2.	Sale of Application Form and their submission	21.05.2018 to 11.06.2018
3.	Date of Entrance Examination	01.07.2018
4.	Date of Result	09.07.2018
5.	Commencement and Completion of Counselling	13.07.2018 to 27.07.2018
6.	Last date of admission after Counselling	30.07.2018
7.	Commencement of Academic Session	01.08.2018

Learned counsel for the petitioner does not have any objection to Chancellor's decision to conduct Combined Entrance Test for admission in all B.Ed colleges in the State of Bihar. The petitioner does not have any dispute over the time schedule prescribed by the office of the Chancellor.

However, I must take note of the time schedule approved by the Supreme Court in the case of **Maa Vaishno Devi Mahila Mahavidyalaya Vs. State of Uttar Pradesh and others**, reported in (2013) 2 SCC 617 for admission to the B.Ed course. The Supreme Court in the case of **Maa Vaishno Devi Mahila Mahavidyalaya**



taking into account the time schedule, as prescribed in the case of **College of Professional Education Vs. State of U.P.**, reported in **(2013) 2 SCC 721**, has approved the time schedule as under:-

1.	Publication of advertisement	1-2-2011
2.	Sale of application forms and their submission	10.2.2011 to 10.3.2012
3.	Date of entrance examination	20.4.2012 to 25.4.2012
4.	Declaration of result	25.5.2012 to 30.5.2012
5.	Commencement and completion of counselling	1.6.2012 to 25.6.2012
6.	Last date of admissions after counselling	28.6.2012
7.	Commencement of academic session	1.7.2012”

I must also take note of the Supreme Court’s observation in paragraph 82 in the case of **Maa Vaishno Devi Mahila Mahavidyalaya** which reads thus:-

“82. We are constrained to reiterate with emphasis at our command that the prescribed schedules under the Regulations and the judgments must be strictly adhered to without exceptions. None in the hierarchy of the State Government, university, NCTE or any



other authority or body involved in this process can breach the schedule for any direct or indirect reason. Anybody who is found to be defaulting in this behalf is bound to render himself or herself liable for initiation of proceedings under the provisions of the Contempt of Courts Act, 1971 as well as for a disciplinary action in accordance with the orders of the Court. In Parshavanath Charitable Trust V. All India Council for Technical Education 20, decided on the same date, this Court held as under: (SCC para 26)

“26..... Time schedule is one such condition specifically prescribed for admission to the colleges. Adherence to admission schedule is again a subject which requires strict conformity by all concerned, without exception. Reference in this regard can be made to Rajan Purohit Vs. Rajasthan University of Health Sciences 21 at this stage, in addition to Medical Council of India V. Madhu Singh 22.”

(emphasis supplied)

Without commenting upon the decision of the Chancellor's office, laying down the present time



schedule for admission which has apparently crossed the time schedule prescribed by the Supreme Court in the case of **Maa Vaishno Devi Mahila Mahavidyalaya** , it is observed that it will be open to the Chancellor's office to take appropriate steps.

This application stands disposed of.

(Chakradhari Sharan Singh, J)

HR/-

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