

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1402 of 2017

IN

Civil Writ Jurisdiction Case No. 5034 of 2017

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Rajeev Ranjan Son of Jay Kishor Sah Resident of Village - Nandtola, Nehru Chauk,
P.O. - Chapra, Police Station - Chapra Town, District - Chapra.

.... Appellant/s

Versus

1. Jai Prakash University, Chapra through its Registrar.
2. The Vice Chancellor, Jai Prakash University, Chapra.
3. The Registrar, Jai Prakash University, Chapra.
4. The Controller of Examination, Jai Prakash University, Chapra.
5. The Principal, D.B.S.D.D. College, Rampur (Kadna), Garkha, Chapra.
6. The Vigilance Investigation Bureau, Bihar, Patna through its Director General.

.... Respondent/s

with

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Letters Patent Appeal No. 1403 of 2017

IN

Civil Writ Jurisdiction Case No. 5377 of 2017

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Sahastranshu Kumar Pandey Son of Shri Sampurna Nand Pandey Resident of
Village - Saikkee, Saiki, P.O. - Kewani, Police Station - Garkha, District - Chapra.

.... Appellant/s

Versus

1. Jai Prakash University, Chapra through its Registrar.
2. The Vice Chancellor, Jai Prakash University, Chapra.
3. The Registrar, Jai Prakash University, Chapra.
4. The Controller of Examination, Jai Prakash University, Chapra.
5. The Principal, D.B.S.D.D. College, Rampur (Kadna), Garkha, Chapra.
6. The Vigilance Investigation Bureau, Bihar, Patna through its Director General.

.... Respondent/s

with

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Letters Patent Appeal No. 1404 of 2017

IN

Civil Writ Jurisdiction Case No. 5518 of 2017

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Raushan Raj Son of Shri Krishna Kumar Singh Resident of Village - Karma, P.O. -
Siaruwa, Police Station - Sanjhauli, District - Rohtas.

.... Appellant/s

Versus

1. Jai Prakash University, Chapra through its Registrar.
2. The Vice Chancellor, Jai Prakash University, Chapra.
3. The Registrar, Jai Prakash University, Chapra.
4. The Controller of Examination, Jai Prakash University, Chapra.
5. The Principal, D.B.S.D.D. College, Rampur (Kadna), Garkha, Chapra.
6. The Vigilance Investigation Bureau, Bihar, Patna through its Director General.

.... Respondent/s



Appearance :

(In LPA Nos.1402 of 2017, 1403 of 2017 and 1404 of 2017)

For the Appellant/s : Mr. Ram Binod Singh, Adv.

For the University : Mr. Nagendra Kumar Singh, Adv.

For the Res. No. 5 : Mr. Gyan Prakash, Adv.

For the Vigilance : Mr. Ramakant Sharma, Sr. Adv.

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

and

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date: 21-06-2018

Heard counsel for the appellants, counsel for the University, learned Senior counsel for the Vigilance and counsel for the present principal of the college.

We have gone through the impugned order passed by the learned Single Judge dated 05.09.2017. This is yet another example of how education in the State of Bihar has been made into money making machine by all the vested interest, being the college or even certain persons of the University to which the college is affiliated.

If more than the sanctioned strength of students were allowed to take admission in college and registered then obviously the University has no control over such colleges to regulate and maintain the standards. But then we are also satisfied that whatever has been done in the present set of cases, there is complicity of the authorities of the University because if it was not so then so called unregistered students of the college in question would not have been permitted to fill in forms, sit in the examination and their results would not have



been declared by the University for at least three years in a row except that the final year marks-sheet has been withheld on the ground that they are not bona fide students as they are not registered with the University or that some of the registration number do not exist or belong to some other students.

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.

The Vigilance, however, is directed to complete the investigation, file charge-sheet against all the accused persons and take the investigation and trial to its logical end so that a strong



message is sent to all the persons who are responsible for facilitating such illegality in dispensation of higher education under J.P. University, Chapra.

The appeals stand allowed in terms of the above.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

Devendra/Arjun

AFR/NAFR	NAFR
CAV DATE	NA
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