

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.722 of 2018

Arvind Kumar Sharma, Son of Dharmnath Sharma, resident of Village-Maker Bhatoli, P.S.- Maker, District- Saran at Chhapra.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Bihar, Patna.
2. The Principal Secretary, Education Department, State of Bihar, Patna.
3. Jai Prakash University, Chapra through its Registrar, Jai Prakash University, Chapra.
4. The Vice- Chancellor, Jai Prakash University, Chapra. null null
5. The Registrar, Jai Prakash University, Chapra.
6. The Controller of Examination, Jai Prakash University, Chapra.
7. The Convenor, Selection/ Admission Committee (For B.Ed.), Jai Prakash University, Chapra.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Rana Ishwar Chandra
For the Respondent/s	:	Mr. MADHAW PRASAD YADAV -GP23
For the J.P. University	:	Mr. Nagendra Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

5 19-02-2018 Heard learned counsel for the parties.

2. This application has been filed seeking direction to the respondent- Jai Prakash University, Chapra to allow admission in any of the fifteen B.Ed. Colleges under the University. The petitioner had applied for the admission, pursuant to an advertisement issued by the University. The said advertisement has been brought on record by way of Annexure-A in which it was indicated that the applicants must examine the Ordinance of the University in relation to admission to B.Ed. Course. The Ordinance for admission has also been brought on record as part



of the counter affidavit.

3. A counter affidavit has been filed on behalf of the University. It has been stated that for becoming eligible for admission to the said Course, an aspirant must have had at least 50% of marks either in the Bachelor's Degree and in the Master's Degree with 55% marks or any other qualification/examination recognized by the academic council of the respective Universities. This is an admitted fact that the petitioner has 47.5% marks at the Graduation level and he was, thus, not eligible for the said admission.

4. Learned counsel appearing on behalf of the petitioners has very vehemently submitted that at the time of making application, the petitioner had indicated that he had only 47.5% marks in the Bachelor's level. Once the University accepted the application form, they considered and accepted the candidature of the petitioner to be eligible for the said admission and now it cannot be stated that the petitioner was ineligible.

5. I do not find any merit in this application there being admitted fact that the petitioner does not fulfill minimum eligibility criteria prescribed for admission to B.Ed. Course. The plea that since the University allowed him to appear for the examination and, therefore, the University is under obligation to



admit the petitioner, cannot be accepted.

6. This application has not merit and it is accordingly
dismissed.

(Chakradhari Sharan Singh, J)

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