

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19375 of 2017

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Anisha Chandra, Daughter of Sri Nawal Kishore Singh, Resident of Mohalla-Jai Hanuman Nagar Ramgarh, P.S.-Jahanabad, District-Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Human Resources Development Department, Bihar, Patna.
2. The Vice-Chancellor, B.N. Mandal University, Laloo Nagar, Madhepura.
3. Registrar, B.N.Mandal University, Laloo Nagar, Madhepur.
4. Director, Research and Training Institute, Education Department, Bihar, Patna.
5. The Collector, Saharsa.
6. principal, College of Teacher Education, Saharsa.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ratan Kumar, Adv.
For the State : Mr. S.K. Ranjan, AC to GP17
For the BNMU : Mr. Ritesh Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

5 18-06-2018 It is the case of the petitioner that despite the fact that she had been regularly attending M.Ed. classes in the college of Teacher Education, Saharsa, she has been shown to be absent for oblique reasons.

Counter affidavit has been filed on behalf of the Principal of the College denying the statements made by the petitioner in the writ application that she had been attending classes. A stand has been taken on behalf of the College that the petitioner had filed an application seeking withdrawal of her admission on health grounds. This fact has, however, been denied



by the petitioner. The father of the petitioner himself is an Assistant Professor working in the said College and Admission Incharge also in the said College.

The writ proceeding under Article 226 of the Constitution of India is decided on the basis of facts which are undisputed. In the present proceeding, there are many disputed questions of facts as alleged by the petitioner in the writ application and those alleged by the Principal of the College in the counter affidavit, which cannot be gone into a writ proceeding.

This application is, accordingly, dismissed with an observation that the petitioner shall be at liberty to raise his grievance before an appropriate court/forum, as may be found permissible under law.

(Chakradhari Sharan Singh, J.)

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