

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15316 of 2018

Rupesh Kumar Son of Sri Sudama Sharma present residing at Mohalla - House No. 6B/25, North Srikrishna Puri, Tilak Marg, Boring Road, Police Station - Sri Krishnapuri, Distt. - Patna, Permanent Address - Village - Neema, P.S. Dhanarua, P.O. - Nawada, District - Patna.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Bihar, Patna.
2. The Principal Secretary, Education Department, Bihar, Patna.
3. The Vice-Chancellor, Patna University, Patna.
4. The Registrar, Patna University, Patna.
5. The Principal, Patna Law College, Patna University, Patna.
6. The Secretary, Bar Council of India, New Delhi.

... .. Respondents

Appearance :

For the Petitioner :	Mr. Sunil Kumar, Advocate
For the Respondent State:	Mr. Pramod Kumar Singh, AC to SC-16
For the Patna University :	Mr. Md. Nadim Seraj, Advocate
	Mr. Altamish, Advocate
For the Bar Council of India :	Mr. Vishwajeet Kr. Mishra, Advocate
	Mr. Sanjay Kumar Pandey, Advocate

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

7 12-12-2018 This is not in dispute that the petitioner was an applicant for admission to three year LL.B. course in Patna Law College for the session 2018-19 in Patna University. This is also not disputed that the petitioner had scored 53 marks in the qualifying test held by the University, whereas 43 was the cut off marks fixed by the University for admission to the said course. The petitioner was, however, denied admission mainly on the ground that he had crossed 30 years of age.

In view of the age limit prescribed by the Bar Council of India of 30 years for admission to three year LL.B. course,



the petitioner has been denied admission. The petitioner has relied on an interim order passed by the Supreme Court in case of ***Rishabh Duggal and Another Vs. the Bar Council of India and Another*** (Writ Petition (Civil) No. 1023 of 2016), whereby the decision of the Bar Council of India has been stayed. This aspect is also not being disputed.

In view of the above noted situation, the Bar Council of India appears to have issued necessary clarification in the light of interim order of the Supreme Court in case of ***Rishabh Duggal and Another*** (supra).

Learned counsel appearing on behalf of the Patna University by filing a supplementary counter affidavit contends that admissions for the session 2018-19 are already over and all seats in Patna Law College have been filled-up.

Learned counsel appearing on behalf of the petitioner has submitted that this application may be disposed of with an observation that the petitioner shall not be disqualified for admission to LL.B. course in Patna Law College in the next session on the ground of having crossed 30 years of age in the light of interim order passed by the Supreme Court.

This goes without saying that if the petitioner applies for admission in next academic session in Patna Law College,



the Court expects that the University authorities shall act in terms of any direction issued by the Supreme Court and clarification issued by the Bar Council of India based on such directions.

This application stands disposed of.

(Chakradhari Sharan Singh, J)

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