

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12356 of 2018

Manorama Devi, wife of Shri Prabhunath Tiwary, resident of Idgah Road,
Gulzarbagh, Police Station Alamganj, Patna-7, District Patna

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Principal Secretary, Higher Education, Government of Bihar, Patna.
3. Registrar, Magadh University, Bodh Gaya, District Gaya.
4. Controller of Examination, Magadh University, Bodh Gaya, District Gaya.
5. Principal, Oriental College, Patna City, Patna.
6. Patliputra University, through the Registrar, By pass Road, Kankarbagh,
Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mrs. Mahasweta Chatterjee Mr. Samir Kumar Sinha,
For the Magadh Univ.	:	Mr. Arabind Nath Pandey
For the State	:	Mr. Prabhakar Jha, GP-27 Mr. Hari Mohan Mishra, AC to GP-27
For the Patliputra Univ.	:	Dr. Anand Kumar

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 30-07-2018 Following was the relief sought on behalf of the
petitioner in the present application:-

*“(i) That an appropriate writ
may be issued commanding upon the
respondent authority to allow the
petitioner to fill up the form for appearing
at B A III Part examination and to appear
in that examination of 2017-18 Session.*

*(ii) That an appropriate writ
may be issued commanding upon the
respondent no. 3 and 4 to declare the
result of Hindi Honours 1st and 2nd paper*



held in the year December 2017.”

A counter affidavit has been filed on behalf of the University, stating therein that the petitioner had appeared in Part-I Hindi (Honours) Examination, 2016. She was, however, declared ‘fail’ in Hindi (Honours) Part-I, though she was promoted to Part-II. In Part-II Hindi (Honours) Examination, she was declared ‘pass’. She appeared in BA (Honours) Hindi Part-II Examination, 2017, but she was declared ‘fail’. It is the stand of the University that for appearing in Part-III Examination, it is mandatory under the Rules that a candidate must have passed Part-I and Part-II Examination. Since the petitioner could not clear Part-I and Part-II Examination, denial by the University to allow her to appear for Part-III Examination is justified.

Since the facts so narrated, are not in dispute, the relief which the petitioner is seeking, cannot be granted.

This writ application is, accordingly, dismissed.

(Chakradhari Sharan Singh, J)

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