

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2567 of 2018

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Roushani Kumari, daughter of Surendra Chaudhary, Resident of Mohalla-Bada Telpa, P.S.- Chapra Nagar, District- Saran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Govt. of Bihar, New Secretariat, Vikash Bhawan, Patna.
2. The Vice Chancellor, J.P University, Chapra.
3. The Registrar, J.P. University, Chapra.
4. The Principal Rajendra College, Chapra.
5. The Coordinator, BCA Study Centre, Rajendra College, Chapra.
6. The Chairman, University Grant Commissioner (UGC), Bahadur Shah Jafar Marg, New Delhi- 110002.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Rajesh Kumar Sharma
For the Respondent/s	:	Mr. S.C. Mishra-SC 16
For the UGC	:	Mr. Amrendra Nath Verma, SC

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 24-04-2018 In the present writ application, the petitioner seeks following reliefs:-

“A. For commanding and directing the concern respondent authority to regulate the academic session of BCA course session 2016-19 conducted by Rajendra College, Chapra (under Directorate of Distance Education, J. P. University, Chapra), in which said college has taken admission of petition in 1st semester of BCA vide Roll No. 343, Enrollment No. 160114100 and ID No. 100 which



is scheduled to be completed in the year 2019, even after issuance of Admit Card on 05.05.2017 for 1st Semester examination in favour of petitioner, but it is pending till date, as such the educational carrier of petitioner came in dark by laches of respondent authorities.

B. For direction to take appropriate action against the respondent no. 4 (Principal, Rajendra College, Chapra), who willfully and deliberately taken up admission of several of students including the petitioner after taking huge money from them for BCA course session 2016-19, without any approval letter from University Grants Commission, such act of aforesaid college is fraud upon many student including the petitioner under which valuable time, money and hope for better education is lost.”

It is her case that responding to notice issued by Rajendra College, Chapra, under Jai Prakash University, Chapra, she had applied for admission in B. C. A. course of sessions 2016-19. She was assured that the said course had affiliation and recognition of the University Grants



Commission. It is also her case that she was allowed to appear in the 1st Semester examination of the said course, which was conducted in April-May, 2017, but the result was not published. Upon enquiry, she learnt that the said course did not have the affiliation nor recognition of the University Grants Commission.

In view of the own assertion of the petitioner in the writ application, it is evident that the course was not recognized either by the University or by the University Grants Commission.

Learned Counsel appearing on behalf of the petitioner has submitted that the petitioner and other students were induced by the Principal of the Rajendra College, Chapra, to take admission in the said course, which was not recognized, on payment of admission fee etc. and, therefore, this Court should direct payment of adequate compensation to the petitioner.

In view of the averments in the writ application, the prayer for directing the respondents to regulate academic session of BCA course cannot be entertained. So far as the prayer that appropriate action should be taken against respondent no. 4, I direct the Vice-Chancellor of the J. P. University, Chapra, to examine the same and if the Principal of the said college, who had allowed admission is still functioning,



the Vice-Chancellor of the University shall be obliged to initiation action against him.

If the petitioner applies to the Vice-Chancellor for return of the amount, which she had deposited for admission, the same must be returned forthwith to her.

This application stands disposed of with the aforesaid observation and direction.

Prabhakar Anand/-

(Chakradhari Sharan Singh, J)

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