

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1681 of 2018

In

Civil Writ Jurisdiction Case No.5476 of 2017

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1. Arti Kumari D/o Alakh Niranjana Prasad Resident of at Azad Colony. P.O. Kaji Mohamadpur, P.S. Town, District-Muzaffarpur
 2. Arun Kumar Son of Gangapati Mallick R/o at Mathiya Dih, P.S. Chhataun District-East Champaran
 3. Janki Raman Son of Sidheshwar Sah R/o At Gorigama, P.S. Runni Saidpur, District-Sitamarhi
 4. Suresh Kumar Singh Son of Ram Prakash Singh R/p At Kasma P.S. Khajauli, District-Madhubani
 5. Nidhi Vatsa D/o Dr. S.N. Tiwary R/o At Mishratola, PS, town District-Darbhangha
 6. Gopal Krishna Son of Ramcharitra Bhagat R/o At Koilahra Math, PS. Madhan District-East Champaran
 7. S.M. Tahseen Alam @ Sayed Md. Tahseen Alam Qadri Son of S.M. Qamre Alam R/o At Cakrahmata Bigho P.S. Laherisa Sarai, District-Darbhangha
 8. Arvind Kumar Mishra Son of Sri Abhiram Mishra R/o At Azad Nagar Akona P.S. Twn (Motihari) District-East Champaran
 9. Sanjay Kumar @ Sanjay Singh Son of Gangapatti Mallick R/o Mathiadih P.S. Chhatauni, District-East Champaran
 10. Nishant Gunjan Son of Vijayendra Kumar R/o At Jaiprabhanagar, P.S. Kayastha tola District Saharsa
 11. Pramath Nath Jha Son of Braj Ohan Jha R/o At Mabharpatty P.S. Bachera, District-Darbhangha
 12. Pratibha Rai S/o Late Ram Nandan Rai R/o At Allapatti P.S. Dmch Darbhanga, District Darbhanga
 13. Samina Shamim D/o Shamim Ahmad R/o At Ausigole, P.S. Bisfi District-Madhubani
 14. Rubi Kumari D/o Birendra Pd. Sinha R/o At Bengali Tola, Laherisarai, District-Darbhangha
 15. Niti D/o Ramandan Prasad R/o At Mission Compound P.S. Saharsa, District-Darbhangha
 16. Abinash Kumar Son of Shri Prabha Shankar Sharma R/o At Pahna, P.S. Lakhisarai, District-Lakhisarai
 17. Ragani Kumari Son of Vimal Kr. Chudhary R/o At Kolhanta P.S. Moto, District-Darbhangha
 18. G. Shankar Son of Kameshwar Singh R/o At Allapatti, P.S.-DMCH Darbhanga, District-Darbhangha
 19. Vivekanand Tiwary Son of Muneshwar Pd. Tiwary R/o Village-Kopra Dirgha P.S. Belaganj, District-Gaya
 20. Rana Das Son of Bishwanath Das R/o At Charktala P.S. Bongaon, 24 PGS (North) District North Kolkotta State-West Bengal-743235
 21. Subhabrata Bandyopadhyay Son of Sukuma Bandyopadhyay R/o At Charktala P.S. Bongaon 24 PGS (North) District North Kolkotta-West Bengal
 22. Randhir Kumar Son of Ramesh Pd. Singh R/o At Dularpur Naya Tola, P.S. Geghra, District-Begusarai
 23. Kishwar Jahan Son of Md. Ali Anad R/o At Kiroul P.S. Teghra, District-Begusarai



... .. Appellant/s

Versus

1. The State Of Bihar and Ors through Principal Secretary, Higher Education Human Resources Development Department, Govt. of Bihar.
2. The Vice Chancellor. Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga
3. The Registrar, Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga
4. The Controller of Examinations, Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga
5. The Assistant, Lalit Narayan Mithila University , Kameshwar Nagar, P.S. Kamshwar Nagar, District Darbhanga
6. Abheshek Kumar Son of Subodh Kumar Choudhary Resident of Village-W. No. 29, Bagha Bypass Road, P.O. Suhrd Nagar, P.S. Town Thana, District Begusarai PIN-851218.
7. Iflekharul Haque Son of Not Known through the Registrar, Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga
8. Vishnu Mandal Son of not Known through the Registrar, Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga
9. Sweta Son of Not Knwon through the Registrar, Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga
10. Arvind Singh through the Registrar, Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga
11. Fkhruddin Ali Ahmad through the Registrar, Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga
12. Dilip kumar Son of Not Known through the Registrar, Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga
13. Suman Kumar Son of Not Known through the Registrar, Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga
14. Sanjay Mourya Son of Not Known through the Registrar, Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga
15. Arvind Kumar Son of not Known through the Registrar, Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga
16. Manoj Kumar Son of not Known through the Registrar, Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga
17. Umesh Singh Son of Not Known through the Registrar, Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr. Karandeep Kumar, Advocate
For the State	:	Mr. Amarendra Kumar, A.C. to A.A.G.-15
For the L.M.N.U.	:	Ms. Archana Palkar Khopde, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)



Re : I.A. No. 8963 of 2018

After having heard learned counsel for the appellants, we are satisfied that the sufficient cause has been shown to condone the delay. Delay is accordingly, condoned and the appeal shall be treated to be within time.

Re : L.P.A. No. 1681 of 2018

The appeal has been filed in respect of the claim of the appellants for admission to Ph.D. course in the Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga.

2. The claim of the appellants has been disposed of taking into notice the University Grants Commission (Minimum Standards and Procedure for Award of M.Phil/Ph.D. Degree) Regulation, 2009. It was observed by the learned Single Judge that the word 'Semester' means, the period of six months and in the background of the said regulation, it was observed that the institution has to strictly adhered to such regulations and guidelines. The appellants being aggrieved have come up before this Court contending that the appellants being eligible they were entitled for admission in the



Ph.D. course, but during the pendency of this appeal itself, the process of admissions ensued and the results of the interview have been declared, the details whereof have been provided through an affidavit filed by the University. In paragraph 4 of the said affidavit, it has been stated that the appellant Nos. 7, 8, 14 and 18 had appeared for interview but they had not qualified whereas the appellant No. 21 did not even appear for the interview. Thus, five of the appellants stood eliminated and the rest of the appellants have been declared successful.

3. Leaned counsel for the appellant contends that in the wake of this development, he confines his argument only with regard to the relief of exemption to which he may be now entitled keeping in view the passage of time. For this, it is no longer necessary to keep the matter pending and we therefore dispose of this appeal with liberty to the appellant to represent their cause before the respondent-University through the Vice-Chancellor for such consideration as may be permissible under rules and regulations and grant of such benefits in order to consider their final admission in the Ph.D.



course. This exercise shall be concluded within a period of three weeks from the date of presentation of the certified copy of the order before the University.

4. The appeal stands disposed of accordingly.

(Amreshwar Pratap Sahi, CJ)

(Anjana Mishra, J)

Saif/-

AFR/NAFR	
CAV DATE	N.A.
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