

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1785 of 2015

In

Civil Writ Jurisdiction Case No.1514 of 2011

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1. Nirmala Kumari, D/O Shambhu Nath Mishra, Resident of Village and P.O.- Tarajiwar, P.S. Hathoori, Distt. Muzaffarpur.
 2. Shakuntala Kumari, D/o Sri Bishundeo Rai, Resident of Village- Manikpur, P.S. and P.O.- Saraiya, District- Muzaffarpur.
 3. Parmila Devi, D/o Sri Janardhan Jha, Resident of Village P.O.- Krishnabawa, P.S.- Patepur, District- Vaishali.
 4. Jai Prakash Prabhakar, son of Sri Binda Rai, Resident of Village- Vaishali (Thukahia Tola), Post P.S.- Vaishali, District- Vaishali.

... .. Appellant/s

Versus

1. The Vice Chancellor, Kameshwar Singh Darbhanga Sanskrit Vishwavidyalaya, Darbhanga.
2. The Registrar, Kameshwar Singh Darbhanga Sanskrit Vishwavidyalaya, Darbhanga.
3. The Examination Controller, Kameshwar Singh Darbhanga Sanskrit Vishwavidyalaya, Darbhanga.
4. The Principal Sanskrit High School, Samastipur.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. S. Azim, Adv.

For the Respondent/s : Mr. Gyanand Roy, Adv.

CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE JYOTI SARAN)

Date : 16-07-2019

Learned counsel for the parties are present.

It is feeling aggrieved by the order dated 04.08.2015 passed by a learned Single Judge in CWJC No. 1514 of 2011, whereby the claim of the appellants- petitioners for a direction to the respondents University to issue certificate of Madhyama



has been rejected and the learned Single Judge finding no merit on the contention advanced has dismissed the writ petition that the writ petitioners are before this Court in this intra-Court appeal.

Before this Court a submission was made by learned counsel appearing for the University that a committee was constituted to inquire into the claim made by the appellants-writ petitioners and by filing a fourth supplementary counter affidavit Mr. Gyanand Roy, learned counsel for the University informs that the enquiry in respect of appellants no. 1, 2 and 3 i.e. Nirmala Kumari, Shakuntala Kumari and Parmila Devi respectively is concluded and they have been asked to furnish certain information. In so far as appellant no.4 Jai Prakash Prabhakar is concerned, he submits that the enquiry is going on and is likely to be concluded soon.

Be that as it may, since the veracity of the certificates of appellants no. 1, 2 and 3 is not in dispute, let the University take appropriate steps to take the issue to its conclusion within a period of three months of receipt/production of a copy of this judgment and the same period is



to be utilized by the University for concluding the enquiry and passing appropriate order in case of appellant no.4.

For the directions that we have issued hereinabove, we modify the judgment and order of the learned Single Judge passed in CWJC No. 1514 of 2011 to that extent and to dispose of the appeal.

No costs.

(Jyoti Saran, J)

(Partha Sarthy, J)

Anjula/Surendra

AFR/NAFR	NAFR
CAV DATE	NA
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