

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18229 of 2019

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Jitendra Kumar Rai S/o Sri Kedar Rai, Resident of Buddha Colony, P.S.-
Buddha Colony, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna
2. The Principal Secretary, Science and Technology Department, Govt. of Bihar, Patna
3. The Director, Science and Technology Department, Govt. of Bihar, Patna
4. The Vice Chancellor Aryabhatta Knowledge University, Mithapur, Patna, Bihar
5. The Examination Controller, Bihar Combined Entrance Examination Board, IAS Association Building, Patna, Bihar
6. The Chairman, All India Council for Technical Education (AICTE), New Delhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Jitendra Kumar Rai (In Person)
For the State	:	Mr. Manish Kumar, AC to AAG-6
For the University	:	Mr. Awadhesh Kumar, Advocate
For the BCEEB	:	Mr. Prasoon Sinha, Advocate
For AICTE	:	Mr. Kumar Brijnandan, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 09-12-2019

Petitioner has prayed for the following reliefs:-

- (i) To direct and command the respondents to strictly adhere to the Schedule and Academic Calendar as prescribed by the AICTE with respect to taking admission of the students in the Government Engineering Colleges and Institutions. Thus the respondent authorities be directed to comply the dead line of 15th of August of every year as the last date for



taking the admission of students in the Government Engineering Colleges and Institutions which has been set by the All India Council for Technical Education (in short AICTE) in compliance of the Hon'ble Apex Court order dated 13.12.2012 passed in Civil Appeal No.9048 of 2012 and analogous case.

- (ii) To constitute high level enquiry to unearth the malafide vested interest of the respondent authorities and thereafter to pass order/punishment against those authorities who have flouted the binding provision of schedule of admission (as prescribed by the AICTE in accordance with the Apex Court order dated 13.12.2012), of students in the Government Engineering Colleges and Institutions as evident from news published on 24.08.2019 in the local daily newspaper Dainik Bhaskar.
- (iii) For granting any relief/reliefs which the Hon'ble Court may consider fit and proper as per the law of the land.”

In effect, the petitioner is seeking implementation of the judgement of the Apex Court dated 13th December, 2012 passed in Civil Appeal No.9048 of 2012 arising out of SLP (C) No.26086 of 2012 titled as Parshavanath Charitable Trust &



Ors. Versus All India Council for Technical Education & Ors.
and Civil Appeal No.9047 of 2012 arising out of SLP (C)
No.27021 of 2012 @ CC No.15485 of 2012, titled as Chetan
Pathare & Anr Vs. All India Council for Technical Education &
Ors..

It is stated on behalf of All India Council for
Technical Education (AICTE) that the admission process is
over.

As such, in our considered view, the present petition
has become infructuous and disposed of as such leaving it open
to the petitioner to approach the AICTE, who shall take
appropriate action in accordance with law.

(Sanjay Karol, CJ)

(Anil Kumar Upadhyay, J)

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