

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No. 1204 of 2019

In
Civil Writ Jurisdiction Case No.17366 of 2019

-
1. Amrita Choudhary, D/o Sri Vinod Choudhary, Resident of 102, Mahaveera Enclave, Hotel Republic Lane, Exhibition Road, Police Station- Gandhi Maidan, District- Patna, Pin- 800001.
 2. Varsha Kumari, D/o Mr. Ramjee Prasad, C/o Mr. Praduman Prasad, Resident of Baleshwar Vihar Flat No. A/4, West Boring Canal Road, Near Adidas Showroom, Police Station- Shri Krishna Puri, Distt.- Patna, Pin- 800008.
 3. Neha Priya, D/o Sri Chandrasekhar Singh, Resident of Mohalla and Post Office- Udaykishunganj, Police Station- Udaykishunganj, Near Sudha Milk Dairy, Ward No. 3, N.H- 106, District- Madhepura, Pin- 852220.
 4. Soni Kumari, D/o Sri Mithilesh Singh, Resident of Harischandra Nagar, Post Office- Dhelwan, Police Station- Beur, District- Patna, Pin- 800002.
 5. Sakhi Kumari, D/o- Sri Arjun Singh, Resident of Harihar Rai Path, Indrapuri, Road No. 12, P.O.- Keshari Nagar, Police Station Patliputra, H/NO- 28, Dist.- Patna, Pin- 800024.
 6. Anisha Kumari, D/o Sri Pathlu Pal, Resident of Mohalla- Brahmpur, P.O. and Police Station- Phulwarisariff, Dist.- Patna, Pin- 801505.
 7. Durgesh Kumar, S/o Sri Narsingh Narayan Singh, Resident of Mohalla- Maranchi Tajpur, P.O. and Police Station- Maranchi, District Patna, Pin- 803301.
 8. Arayan Pratap Singh, S/o Sri Sanjay Singh, Resident of Tapeswar Nagar, Aarah, Garden Road, Pillar No.- 4, Jagdeo Path, Police Station- Shastri Nagar, Patna- 800014.
 9. Indrlesh Kumar, S/o Sri Krishna Sharma, Resident of At- Dhauri, P.O.- Kharown- Kala, Police Station- Sahar, Dist- Bhojpur, Pin- 802208.
 10. Satyam Lal, S/o Sri Ram Pravesh, Resident of C/o Mr. Binda Ray, Vill.- Darihara Bhual, P.O.- Darihara, P.S.- Dariyapur, Dist.- Saran, Pin- 841211.
 11. Roshan Gupta, S/o Sri Arjun Kumar Sah, Resident of AIIMS Residencial Complex, Walmi Phulwarisariff, Police Station- Pulwarisariff Patna, Dist.- Patna, Pin- 801501.
 12. Preeti Kumari, D/o Sri Binod Kumar Choubey, Resident of New Mainpura Kharanja Road, Police Station- Danapur, Saguna More, Danapur, Patna, Pin- 801503.
 13. Shiwangani Kumari, D/o Sri Vijay Kumar, Resident of Village- Tikaitpur, Post Office- Neora, Police Station- Bihta, District- Patna, Pin- 801113.
 14. Sristi Agarwal, D/o Sri Subhash Kumar Agarwal, Resident of Rajendra Nagar, Road No. 12, Near Chaar Minar Apartment, Post Office- Rajendra Nagar, Police Station- Kadamkuan, Pin- 800016.

... .. Petitioners- Appellant/s

Versus

1. The State of Bihar through the Principal Secretary, Department of



Education, Government of Bihar, Patna.

2. The Vice- Chancellor, Patliputra University, Patna, Bihar.
3. The Registrar, Patliputra University, Patna, Bihar.
4. The Examination Controller, Patliputra University, Patna, Bihar.
5. Nalanda Open University represented through State Nodal Officer, Biscomaun Bhawan, 2nd, 3rd Floor, Gandhi Maidan Road, Patna, Bihar, Pin- 800001.
6. ABC College of Education, Opposite Maulana Azad Engineering College, Neura, Patna- 801113 Affiliated to Patliputra University represented through its Director, Ashish Kumar @ Aashish Aadarsh, resident of Flat No. 201 Kanika Maihar Apartments, Police Station- Kadam Kuan, District- Patna.

... .. Respondents.-Respondent/s

with

Letters Patent Appeal No. 1249 of 2019
In
Civil Writ Jurisdiction Case No.17366 of 2019

Neha Kumari, D/o Sri Dilip Mishra, C/o Er. R.P. Verma, Resident of Flat No. 909 A, Police Station- Kadam Kuan, East Lohanipur, Distt.- Patna, Pin- 800003

... .. Appellant/s

Versus

1. Amrita Choudhary, D/o Sri Vinod Choudhary, Resident of 102, Mahaveera Enclave Hotel, Republic Lane, Exhibition Road, Police Station- Gandhi Maidan, District- Patna, Pin- 800001.
2. Varsha Kumari, D/o Mr. Ramjee Prasad, C/o Mr. Praduman Prasad, Resident of Baleshwar Vihar Flat No. A/4, West Boring Canal Road, Near Adidas Showroom, Police Station- Shri Krishna Puri, Dist.- Patna, Pin- 800008.
3. Neha Priya, D/o Sri Chandrashekhar Singh, Resident of Mohalla and Post Office- Udaykishunganj, Police Station- Udaykishunganj, Near Sudha Milk Dairy, Ward No. 3, N.H- 106, District- Madhepura, Pin- 852220.
4. Soni Kumari, D/o Sri Mithilesh Singh, Resident of Harischandra Nagar, Post Office- Dhelwan, Police Station- Beur, District- Patna, Pin- 800002.
5. Rakhi Kumari, D/o Sri Arjun Singh, Resident of Harihar Rai Path, Indrapuri, Road No. 12, P.O.- Keshari Nagar, Police Station Patliputra, H/NO- 28, Dist.- Patna, Pin- 800024.
6. Anisha Kumari, D/o Sri Pathlu Pal, Resident of Mohalla- Brahmpur, P.O. and Police Station- Phulwarisarif, Dist.- Patna, Pin- 801505.
7. Durgesh Kumar S/o Sri Narsingh Narayan Singh, Resident of Mohalla- Maranchi Tajpur, P.O. and Police Station- Maranchi, District Patna, Pin- 803301.
8. Arayan Pratap Singh, S/o Sri Sanjay Singh, Resident of Tapeswar Nagar, Aarah, Garden Road, Pillar No.- 4, Jagdeo Path, Police Station- Shastri Nagar, Patna- 800014.



9. Indrlesh Kumar, S/o Sri Krishna Sharma, Resident of At- Dhauri, P.O.- Kharown- Kala, Police Station- Sahar, Dist- Bhojpur, Pin- 802208.
10. Satyam Lal, S/o Sri Ram Pravesh, Resident of C/o Mr. Binda Ray, Vill.- Darihara Bhual, P.O.- Darihara, P.S.- Dariyapur, Dist.- Saran, Pin- 841211.
11. Roshan Gupta, S/o Sri Arjun Kumar Sah, Resident of AIIMS Residencial Complex, Walmi Phulwarisariiff, Police Station- Pulwarisariiff Patna, Dist.- Patna, Pin- 801501.
12. Preeti Kumari, D/o Sri Binod Kumar Choubey, Resident of New Mainpura Kharanja Road, Police Station- Danapur, Saguna More, Danapur, Patna, Pin- 801503.
13. Shiwangani Kumari, D/o Sri Vijay Kumar, Resident of Village- Tikaitpur, Post Office- Neora, Police Station- Bihta, District- Patna, Pin- 801113.
14. Sristi Agarwal, D/o Sri Subhash Kumar Agarwal, Resident of Rajendra Nagar, Road No. 12, Near Chaar Minar Aprt. Post Office- Rajendra Nagar, Police Station- Kadamkuan, Pin- 800016.

..... Petitioners/ Respondents 1st Set.

15. The State of Bihar through the Principal Secretary, Department of Education, Government of Bihar, Patna.
16. The Vice-Chancellor, Patliputra University, Patna, Bihar.
17. The Registrar, Patliputra University, Patna, Bihar.
18. The Examination Controller, Patliputra University, Patna, Bihar.
19. Nalanda Open University represented through State Nodal Officer, Biscomaun Bhawan, 2nd, 3rd Floor, Gandhi Maidan Rd, Patna, Bihar- 800001.
20. ABC College of Education, Opposite Maulana Azad Engineering College, Neura, Patna- 801113 Affiliated to Patliputra University represented through its Director, Ashish Kumar @ Aashish Aadarsh, resident of Flat No. 201 Kanika Maihar Apartments, Police Station- Kadam Kuan, District- Patna

... .. Respondents/ Respondent/s 2nd Set.

=====

with
Letters Patent Appeal No. 1304 of 2019
In
Civil Writ Jurisdiction Case No.20096 of 2019

=====

1. Archana Kumari, daughter of Mahesh Prasad Yadav, Resident of C/o Nannu Yadav, B.N.R. Road, P.S.- Alamganj, Distt.- Patna
2. Kavya Kumari, daughter of Sunil Kumar, resident of Village- Maina, Chatar, Police Station Chandradeep, District- Jamui.
3. Nishi Kumari, daughter of Anil Kumar Tiwary, resident of Village- Reeth, Police Station - Ekma, District- Saran.
4. Dhiraj Kumar Bhagat, Son of Bhola Prasad Bhagat, resident of Balagge Niwas, Mehta Bhawan, 3rd Floor, Room No. - 18, At- Rampur Mahulla, District- Patna.



5. Uttam Kumar, Son of Mithilesh Prasad, resident of Village- Katarpur, Badi, District- Nalanda.
6. Surendra Kumar, Son of Chadeshwar Paswan, Resident of Village- Mahua, P.s.- Nirmali, District- Supaul
7. Shyamli, daughter of Abhay Kumar Sinha, resident of Mohan Niwas, Papin Gali, Police Station- Kotwali, North Mandiri, District- Patna.
8. Seema Baranwal, daughter of Bhola Prasad Baranwal, resident of New Bus Stand, Auto Shop At and Post- Jhajha, Police Station- Jhajha, District- Jamui.
9. Kumari Sushila, daughter of Vinod Kumar Singh, resident of Village and P.O.- Kanchanpur, Police Station- Bihta, District- Patna.
10. Shanjeev Kumar, Son of Nathun Choudhary, Resident of Kusumpuram Colony, Bailey Road, Danapur Cantt, P.S.- Rupaspur, Distt.- Patna
11. Rupesh Kumar Yadav, son of Krishnadev Yadav, resident of Pipraun, Makhanaha, Ps.- Laukahi, Distt.- Madhubani
12. Rupashree Mozomdar, daughter of Salil Kumar Mozomdar, resident of 3A/4, Jagdamba Path (Near A.N. College), North Sri Krishnapuri, Police Station- Sri Krishnapuri, District- Patna.
13. Renu Kumari, daughter of Ramashraya Singh, resident of Flat No. - 304, Saraswati- 2, Jalalpur City, Beilley Road, Danapur, Police Station- Rupaspur, District- Patna.
14. Rajshree Rashmi, daughter of Hira Lal Yadav, Resident of Kamla Girls Hostel, B.B. Yadav Timber, Naya Tola, Distt.- Patna
15. Rajnish Kumar, son of Anil Kumar Singh, resident of Hemjapur, Police Station - Dharhara, District- Munger.
16. Ranjnish Kumar, son of Ram Narayan Paswan, Resident of Road No. 7, Chitrakut Nagar, Takiyapur, Danapur, Distt.- Patna
17. Rajesh Kumar, Son of Pawan Yadav, Resident of Kazipur, Road No. 4, Naya Tola, Distt.- Patna.
18. Pintu Bind, Son of Nageshwar Bind, Resident of Village- Abhimanu Nagar, Danapur, P.s.-Rupaspur, Distt.- Patna
19. Aman Kumar, son of Sudama Paswan, Resident of Siuri, P.o.- Manjhaul, P.s.- Cheriya Baraiyarpur, Distt.- Begusarai
20. Santosh Kumar Mukhiya, Son of Domi Mukhiya, Resident of Village and P.o.- Banki, P.s.- Madhepur, Distt.- Madhubani, Bihar
21. Manish Kumar, son of Pramod Prasad Keshri, Resident of Village and p.o.- Manikpur, P.s.- Kurtha, Distt.- Arwal
22. Jyoti Kumari, Daughter of Jitendra Prasad, resident of Sultanpur, Near Math Danapur Cantt. District- Patna.
23. Dhiraj Kumar Bhagat, son of Bhola Prasad Bhagat, Resident of Rampur Lane, Bazar Samiti, Balajee Niwas, Mehta Bhawan, Distt.- Patna
24. Dharmendra Kumar Choudhary, son of Dashrath Choudhary, Resident of Wahid Bigha, P.o.- Kanbehari, P.s.- Aurangabad, Distt.- Aurangabad
25. Bishnu Devi Sah, son of Rohit Kumar Sha, resident of Village and P.O.-



Mansapur, Via- Narhiya, District- Madhubani.

26. Manish Kumar Paswan, son of Ram Prasad Paswan, Resident of at and P.o.- Dekuli, P.s.- Bahadurpur, Via- Laheriasarai, Distt.- Darbhanga
27. Amresh Kumar, son of Heera Prasad Verma, Resident of Village and P.o.- Ainkhan, P.s.- Dulhin Bagar, Distt.- Patna
28. Abhishek Kumar, son of Binod Kumar Gupta, resident of Gupta Niwas, Lohar Lane, Musallahpur Hat, Post- Maehndru, Police Station- Sultanganj, District- Patna.
29. Puja Bharti, daughter of Laxman Prasad, Resident of Village and P.o.- Pathan Toli, Maner, P.s.- Maner, distt.- Patna.
30. Radhika Kumar, daughter of Shree Ramprawesh Saw Kasera, Resident of Village and P.o.- Kariyatpur, P.s.- Ichak, Distt.- Hazaribagh, Jharkhand.
31. Ritu Kumari, daughter of Krishna Shah, resident of Chitkohra Bazar, Near Ambedkar Chowk, Mangal Gauri Mandir, Anishabad, District- Patna.
32. Bipin Kumar, son of Parmanand Pathak, Resident of Amba, P.s.- Teghra, Distt.- Begusarai
33. Dileep Kumar, son of Brahmdeo Prasad, resident of Village- Rahui, Police Station Rahui, District- Nalanda.
34. Mithun Kumar, son of Wakil Prasad Yadav, resident of Khupaity, Balam, Police Station Madhepura, District- Madhepura.
35. Mamta Kiran, daughter of Satyendra Narayan Singh, Resident of Keshri Nagar, West patel Nagar, Near St. Binoba High School, Distt.- Patna
36. Kumar Prabhakar, son of Gopal Jee Yadav, Resident of Village- Nabahath, Lohat, P.s.- Pandaul, Distt.- Madhubani
37. Khusboo Kumari, daughter of Vinod Kumar, Resident of Mokaka, Dhourani Tola, Ward No. 20, Distt.- Patna
38. Geeta Kumari, daughter of Kallu Mistry, resident of Village- Sherpur, P.s.- Karpi, Dist.- Arwal
39. Jyoti Kumari, daughter of Ghanshyam Prasad, Resident of Village- Sundarpur, Katardih, Katarisari, Distt.- Nalanda
40. Baidyanath Prasad Singh, son of Deo Narayan Singh, resident of Hanuman Nagar, Police Station - Khutauna, District- Madhubani.
41. Ashok Kumar, son of Lalbabu Prasad Yadav, Resident of Village- Bankatwa, p.s.- Jitna, Distt.- East Champaran.
42. Ashish Kumar, son of Ram Prasad, Resident of Village- Sona Gopalpur, P.s.- Gopalpur, distt.- Patna
43. Akanksha Bharti, daughter of Late Ajai Kumar Singh, Resident of Mohalla- Sultanpur Near Police Chouki, Danapur, Cantt.,Distt.- Patna
44. Akshay Kumar, son of Bharat Singh, Resident of Village- Kargahar, P.s.- Kargahar, District- Rohtas
45. Abhishek Kumar, son of Rajdeo Paswan, Resident of Araria, P.s.- Kundwa, Chainpur, Distt.- East Champaran
46. Sweeti Kumari, daughter of Laxman Prasad, Resident of Rukanpura, Bailey



Road, B.V. College, P.s.- Rupaspur, Distt.- Patna

47. Pawan Kumar, son of Mahendra Sah, Resident of Lakshmipur Chandi Asthan, P.s.- Kumarkhand, Distt.- Madhepur.
48. Parul Rani, daughter of Baleshwar Prasad, Vill.- Pirpahari, P.s.- Laheri, Distt.- Nalanda
49. Raman Kumar, son of Sudama Paswan, Resident of Siuri, Manjhaul, P.S.- Cheriya, Bariyaspur, Distt.- Begusarai
50. Babita Kumari, son of Ram Prakash Singh, Resident of Khawa, Kiranpur, P.s.- Mednichowki, Dist.- Lakhisarai
51. Dhananjay Patel, son of Kameshwar Prasad, Resident of Village- Gondu Bigha, P.s.- Hilsa, Distt.- Nalanda
52. Pappu Kumar, son of Ramvriksh Yadav, resident of Village- Rouniya, Police Station- Khizer Sarai (Mahakar), District- Gaya.

... .. Petitioners-Appellant/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Education Department, Government of Bihar, New Secretariat (Bikas Bhawan), Patna.
3. The Chancellor, Universities of Bihar, Governor's Secretariat, Governor House, Patna through Principal Secretary to Governor, Raj Bhawan, Patna.
4. The Chancellor, Universities of Bihar, Governor's Secretariat, Governor House, Raj Bhawan, Patna.
5. The Patliputra University, Mahatma Gandhi Nagar, Chitragupta Nagar Patna- 800020, through its Registrar.
6. The Registrar, Patliputra University, Mahatma Gandhi Nagar, Chitragupta Nagar, Patna- 800020.
7. The Nalanda Open University, Biscomaun Bhawan, Gandhi Maidan, Patna- 800001, through Registrar.
8. The Registrar-Cum-State, Nodal Officer, Nalanda Open University, Biscomaun Bhawan, Gandhi Maidan, Patna- 800001.
9. The National Council for Teacher Education, Hans Bhawan, Wing-II, 1, Bhadurshah Zafar, New Delhi- 110002 through Member Secretary.
10. The Eastern Regional Committee National Council for Teachers Education, 15 Neelakantha Nagar, Nayapalli, Bhubaneswar- 751012, Odisha through Regional Director.

..... Respondents/ Respondents 1st Set.

11. Anjali Sharma, daughter of Jai Ram Sharma, resident of Village- Akbarpur, Police Station- Hilsa, District- Nalanda.
12. Ritu Sharma, daughter of Krishan Murari Prasad Sharma, resident of Sarkarwar Tola, Ward No.- 15, Mokama, Police Station- Mokama, District- Patna.

.... respondents/Appellants/Petitioners 2nd Set.



Appearance :

(In Letters Patent Appeal No. 1204 of 2019)

For the Appellant/s : Mr. Avinash Kumar, Advocate
For the Respondent/s : Mr. Ashutosh Ranjan Pandey (AAG 15)
For the NOU : Mr. Navin Prasad Singh, Advocate
For the PPU : Mr. P. K. Verma, Senior Advocate
Dr. Anand Kumar, Advocate

(In Letters Patent Appeal No. 1249 of 2019)

For the Appellant/s : Mr. Avinash Kumar, Advocate
For the NOU : Mr. Navin Prasad Singh, Advocate
For the PPU : Mr. P. K. Verma, Senior Advocate
Dr. Anand Kumar, Advocate

(In Letters Patent Appeal No. 1304 of 2019)

For the Appellant/s : Mr. Niranjana Kumar, Advocate
For the NOU : Mr. Navin Prasad Singh, Advocate
For the PPU : Mr. P. K. Verma, Senior Advocate
Dr. Anand Kumar, Advocate
For the NCTE : Mr. Sunil Kumar Singh, Advocate
Mr. Md. Azimuddin, Advocate
Mr. Ranvijay Singh, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

5 17-10-2019 These three appeals have been filed by the candidates seeking protection of their admission in B.Ed. Course.

The Colleges that had approached this Court have withdrawn their appeals, being LPA Nos.1202, 1221, 1237, 1253, 1254, 1255, 1257 and 1301 all of 2019, in which orders have been passed by us separately today.

In view of the liberty granted therein for approaching His Excellency, the Governor of Bihar, learned counsel for the appellants in these cases also pray for withdrawal of these



appeals on the same terms in order to approach His Excellency,
the Governor of Bihar, for redressal of their grievances.

The appeals are permitted to be withdrawn on the
same terms.

(Amreshwar Pratap Sahi, CJ)

(Ashutosh Kumar, J)

Sunil/-

U			
---	--	--	--

