

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5629 of 2020

1. Pooja Kumari, Daughter of Vijay Kumar, Resident of Village-Bahuara, P.O.-Bidupur P.S.-Rajapakar, District-Vaishali.
2. Pratyush Sandilya, Son of Mithilesh Kumar Jha, resident of Santnagar, Ward No. 15, P.S.-Saharsa, District-Saharsa.
3. Ravi Ranjan Chaudhary, Son of Lakshman Prasad, Resident of Village-Salemu Bigha, P.O.-Ekrara, P.S. Ben, District-Nalanda.
4. Akshansh Singh, Son of Uday Kumar, Resident of Ward No. 1, Bhagwanpur Chakshekhu, P.S.-Dalsinghsarai, District-Samastipur.
5. Saurabh Kumar Rai, Son of Ram Naresh Rai, Resident of Village-Panapur Langa, P.S. Hazipur (Sadar), District-Vaishali.
6. Nitish Nirala, Son of Birendra Kumar, Resident of Village-Simariya, P.O.-Triveniganj, P.S.-Triveniganj, District-Supaul.

... .. Petitioners

Versus

1. The State of Bihar
2. The Principal Secretary, Health Department, Govt. of Bihar, Patna.
3. The Additional Chief Secretary, Education Department, Govt. of Bihar, Patna.
4. The Aryabhatta Knowledge University, Patna through its Vice Chancellor.
5. The Registrar, Aryabhatta Knowledge University, Patna.
6. The Examination Controller, Aryabhatta Knowledge University, Patna.
7. The Bihar Combined Entrance Competitive Examination Board, Patna through its Chairman.
8. The Examination Controller, the Bihar Combined Entrance Competitive Examination Board, Patna.
9. The Principal, Govt. Pharmacy Institute, Agamkuan, Patna.

... .. Respondents

Appearance :

For the Petitioners	:	Mr. Prashant Sinha, Advocate
For the Respondents	:	Mr. Ashutosh Ranjan Pandey, AAG 15
Fir A,K. University	:	Mr. Priyank Deepak, Advocate
For BCECE Board	:	Mr. Vikash Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

6 02-07-2020 Heard learned counsel appearing on behalf of the

petitioners, learned counsel appearing on behalf of the



respondents as well as learned counsel appearing on behalf of Aryabhatta Knowledge University.

Pursuant to the order dated 02.06.2020, supplementary counter affidavit has been filed on behalf of the Aryabhatta Knowledge University on 01.07.2020. Statements made in paragraphs 4 to 7 of the supplementary counter affidavit are quoted hereinbelow for ready reference:-

“4. That, it is stated that it has been resolved by the university that those students belonging to the academic session 2019-20, who could not appear in the examination of the 1st Semester has been promoted to the next academic session 2020-21.

5. That, it has further been resolved to conduct special examination for them and for obtaining the marks in second semester, it would be imperative for them to appear in the said special examination and the marks of the second semester would be dependent on the internal marks and the marks obtained in the special examination of first semester.

6. That it is stated that the aforesaid decision has been issued vide notification dated 29.06.2020, which is being brought on record for the better appreciation of this fact.

7. That, it is stated that the aforesaid decision has also been communicated to the Principal of the Government Pharmacy Institute, Agamkuan, Patna vide letter no. 1904 dated 27.06.2020 for necessary action on his part.”

From the counter affidavit it appears that the University has considered the case of the petitioners and taken appropriate decision and in view of the decision of the



University, no useful purpose would be served by keeping the writ petition pending.

The writ petition is disposed of in terms of the stand taken by the Aryabhata Knowledge University hereinabove.

(Anil Kumar Upadhyay, J)

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