

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10603 of 2020

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Osama Khursheed, S/o Md. Khursheed Alam, R/o-Village-Kushmahwa, Post-Chandanbara, Police Station-Dhaka, Kushmahwa, East Champaran, Kundwa Chainpur, Bihar-845304.

... .. Petitioner/s

Versus

1. Patna University through its Registrar, Patna College Campus, Patna University, Ashok Rajpath Patna-800005, Bihar.
2. Vice Chancellor, Patna University, Patna College Campus, Patna University, Ashok Rajpath Patna-800005, Bihar.
3. Controller of Examination, Patna University, Patna College Campus, Patna University, Ashok Rajpath Patna-800005, Bihar.
4. Finance Officer, Patna University, Patna College Campus, Patna University, Ashok Rajpath Patna-800005, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Vishal Kumar Singh, Advocate Deepak Kumar Singh, Advocate
For the Respondent/s	:	Mr.

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(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE S. KUMAR)

Date : 21-06-2021

Heard the parties.

Petitioner has prayed for following relief(s):-

I. For issuance of an appropriate writ of Mandamus or any other appropriate writ(s) or order(s) or direction(s) commanding the Respondents to revoke the notification vide Memo No. Acad/-307 dated 15.06.2020 in which it

has been stated that the students of Post Graduate Self Finance Courses who have been declared passed or who have been promoted to Semester(s) II, IV and VI in the current session have to deposit their admission fee for their respective semesters by 31.07.2020.

II. For issuance of an appropriate writ of Mandamus or any other appropriate writ(s) or order(s) or direction(s) commanding the Respondents to completely waive off the Semester fee of students for all the departments of Patna University because of the ongoing Pandemic COVID 19.

III. For issuance of an appropriate writ of Mandamus or any other appropriate writ(s) or order(s) or direction(s) commanding the Respondents to revoke the order vide Notification No. 327 wherein increment of the revised course fees for different UG and PG Programmes/Courses for the Academic Year of 2020-21 has been notified.

IV. For issuance of an appropriate writ of Mandamus or any other appropriate writ(s) or order(s) or direction(s) commanding the Respondents to extend the last date of online filling up admission forms including quota forms of all Postgraduate/ Undergraduate / Diploma (Regular / Self-financing) Programmes / Courses of the Patna University from 14.08.2020, as the

final exams of all departments have not yet been conducted.

V. For issuance of an appropriate writ of Mandamus or any other appropriate writ(s) or order(s) or direction(s) commanding the Respondents to promote all the students of the final year/semester of the University on the basis of internal assessment and other such mechanisms like project and assignments without conducting any examination in the physical mode or online mode.

AND/OR

VI. Pass any such order or direction which may deem fit to this Court in best interest of the Petitioner.”

After the matter was heard for some time, learned counsel for the petitioner, under instructions, states that petitioner shall be content if a direction is issued to the authority concerned to consider and decide the representation which the petitioner shall be filing within a period of four weeks from today for redressal of the grievance(s).

Learned counsel for the respondents states that if such a representation is filed by the petitioner, the authority concerned shall consider and dispose it of expeditiously and preferably within a period of three months from the date of its filing along with a copy of this order.

Statement accepted and taken on record.

As such, petition stands disposed of in the following terms:-

(a) Petitioner shall approach the authority concerned within a period of four weeks from today by filing a representation for redressal of the grievance(s);

(b) The authority concerned shall consider and dispose it of expeditiously by a reasoned and speaking order preferably within a period of three months from the date of its filing along with a copy of this order;

(c) Needless to add, while considering such representation, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties;

(d) Equally, liberty is reserved to the petitioner to take recourse to such alternative remedies as are otherwise available in accordance with law;

(e) We are hopeful that as and when petitioner takes recourse to such remedies, as are otherwise available in law, before the appropriate forum, the same shall be dealt with, in accordance with law and with reasonable dispatch;

(f) Liberty reserved to the petitioner to approach the Court, if the need so rises subsequently on the same and subsequent cause of action;

(g) We have not expressed any opinion on merits.

All issues are left open;

(h) The proceedings, during the time of current Pandemic- Covid-19 shall be conducted through digital mode, unless the parties otherwise mutually agree to meet in person i.e. physical mode;

The petition stands disposed of in the aforesaid terms.

Interlocutory Application(s), if any, stands disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

veena/rajiv-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	
Transmission Date	NA