

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16306 of 2018

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Shiv Nath Choudhary son of Late Jagdish Choudhary Resident of Village -
Kharka, Telwa, P.O. Nauthatta, District - Saharsa.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary Education Department,
Patna
2. The Director, Secondary Education, Bihar, Patna.
3. The Vice Chancellor, B.N. Mandal University, Madhepura.
4. The Registrar, B.N. Mandal University, Madhepura.
5. The Tablulator-cum-Scrutionize, B.N. Mandal University, Madhepura.
6. The Examination Controller, B.N. Mandal University, Madhepura.
7. The District Magistrate, Araria.
8. The District Education Officer, Araria.
9. The Chairperson, State Appellate Authority, Education Department, Bihar.
10. The Deputy Development Commissioner-cum-Chief Executive Officer,
District Board, Araria.
11. The Presiding Officer, District Teacher Employment Appellate Authority,
Araria.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Vikram Singh, Adv.
For the Respondent/s : Mr.Ashutosh Ranjan Pandey- Aag15

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**CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH
SHARMA**

ORAL ORDER

4 21-03-2022 Heard the parties.

The case is being taken up from defect
side.

Learned counsel for the petitioner is
directed to submit the original petition along with
attested affidavits and also remove all the defects



pointed out by the Registry within two weeks from today.

Learned counsel for the petitioner disputes the enquiry report submitted by the University with regard to petitioner's candidature being absent from the register containing the marks of all the candidates. He has by way of reply to the additional affidavit has placed certain documents to show that he was present. Admittedly, these are questions, which are pure question of fact, which requires to be proved in Competent Court. The Writ Jurisdiction is not the correct Forum to allowing the petitioner to take up the remedy.

Accordingly, the writ petition is dismissed.

It is made clear that all the issues taken up by the petitioner shall be free to be examined by a competent Civil Court.

(Sanjeev Prakash Sharma, J)

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