

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.11716 of 2022**

Pragya College of Pharmaceutical Sciences Village- Shanti Nagar Uchauli,  
P.S.- Khijarsarai, District- Gaya through Rabindra Narayan Singh, aged about  
68 years, male, son of late Shiv Ratan Singh, resident of A.P. Colony, near  
CJM residence, P.S. Rampur, District- Gaya, the Secretary of Pragya Bharti  
Public Educational Trust

... .. Petitioner/s

Versus

1. The Magadh University, Bodh Gaya through its Registrar.
2. The Vice Chancellor, Magadh University, Bodh Gaya.
3. The Examination Controller, Magadh University, Bodh Gaya.
4. The Registrar, Magadh University, Bodh Gaya.

... .. Respondent/s

**Appearance :**

For the Petitioner/s : Mr.Prashant Sinha, Adv.  
For the Respondent/s : Mr. Pratik Kumar Sinha, Adv.

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

ORAL ORDER

7      21-12-2022      Heard the parties.

Learned counsel for the University states that he has  
instructions to state before this Court that the University shall  
abide by the directions issued by the Court with regard to the  
conducting of examination.

This Court in C.W.J.C. No. 19063 of 2021(A and E  
College of Pharmacy, Baluahi Vrs. Lalit Narayan Mithila  
University & Ors.) had, vide judgment dated 31.03.2022,  
directed as under :

*“15. In view of above it is directed that the University  
shall take steps to decide whether to promote the*



*petitioner directly or to conduct an examination. If it takes a decision to promote the petitioner directly, approval from the Pharmacy Council of India shall be taken. If the University takes a decision to conduct an examination, it is directed that the examination shall be conducted in terms of the Schedule laid by the Pharmacy Council of India under Regulations of 2014 and the Regulations of Aryabhat Knowledge University may be adopted for the purpose of conducting of examination. Decision as aforesaid shall be taken by the University within a period of 15 days from today, the Schedule of examinations, if conducted, shall be laid down to be conducted within a period of two months.”*

Again in another case C.W.J.C. No. 4198 of 2022 (Sai Baba Institute of Pharmaceutical Sciences & Ors. Vrs. Babasaheb Bhimrao Ambedkar Bihar University & Ors.) decided on 19.05.2022 relying upon the earlier judgment directions were issued to conduct the examination.

In spite of two judgments passed by this Court the University has failed to take steps for conducting examination of B-Pharma session 2020-21.

In view of the settled position as above, the University is now directed to conduct examination and for the said purpose declare a schedule of examination within three



weeks from today. The examination shall be conducted and concluded within three months and the result thereof shall also be declared as soon as possible in terms of Section 31 of the Universities Act.

The college would be required at its end to provide all the necessary documents, including the registration documents of the students who are to be enrolled, within one week.

With the aforesaid observation, the writ petition is allowed.

It is made clear that if the compliance is not made, the petitioner shall be free to move an application for initiating contempt proceeding against the concerned Vice Chancellor and the Registrar of the University.

**(Sanjeev Prakash Sharma, J)**

Shamshad/-  
Item No. 7

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