

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16001 of 2022

Chandragupta Maurya College of Education Bihta, Vill-Kala Bhagwanpur, P.O.-Sarasat, Patna, Dist.-Patna, Bihar-801109 through its Secretary Sunny Anand, male, aged about 46 years, S/o Surendra Singh Yadav, R/o Anand Bhawan, Khajpura, P.S.-Patna Airport, B.M.P. Road, B.V. College, Patna, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Bihar, Patna.
2. The Director, Higher Education, Bihar, Patna.
3. The Vice Chancellor Maulana Mazharul Haque Arabic and Persian University, Bihar, Patna.
4. The Registrar, Maulana Mazharul Haque Arabic and Persian University, Bihar, Patna.
5. The Controller of Examination, Maulana Mazharul Haque Arabic and Persian University, Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Suman Kumar, Adv.
For the Respondent/s	:	Mr. Madhaw Pd. Yadaw (GP 23)

CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA

ORAL ORDER

2 25-11-2022

Heard the parties through virtual mode.

1. The petitioner is a Secretary of the Chandragupta Maurya College of Education, Patna. He has preferred this writ petition with the following prayer:

“1. That the petitioner seeks the following reliefs:

(I) For issuance of an appropriate writ/writs in the nature of mandamus commanding and directing the respondents to publish the result of B.Ed. Part-II of academic session 2019-21 of 54 students of petitioner's college.

The Controller of Examination of Maulana Mazharul Haque Arabic and Persian University, Bihar , Patna appointed external examiner, who awarded marks to the students and sent it to the university but without any rhyme and reason, the respondent university has not published the result.



The petitioner being Secretary of the college, made representation to the respondent Vice Chancellor on 30.09.2022, for publication of result but they are not taking any action.

(II) Further for a direction to the respondents to dispose the representations of petitioner according to law.

(III) For any other relief/reliefs for which the petitioner is entitled to get in the facts and circumstances stated above.

2. The examination have already been undertaken and no student has come before this Court. The petitioner has written a letter only on 30th of September 2022 and without awaiting the result thereto, this writ petition has been filed which appears to be case of initiating politics in relation to academic issues.

3. In the opinion of this Court, the Secretary does not have a locus to demand result of a particular examination which cannot be said to be only limited to the students of its own college.

4. The writ petition is found to be an abuse of process of Court and dismissed with a cost of Rs. 20,000 to be deposited with the Bihar Legal Services Authority.

(Sanjeev Prakash Sharma, J)

Sachin/-
Item No. 45

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