

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1370 of 2023

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K.S. College of Professional Education, Plot No. 821, 830, 831, Street/ Road- Neora, Vill/ P.O.- Neora, Tehsil/ Taluka, Bihata, Town/ City- Danapur, District- Patna, Bihar- 801113, through its Director Nitish Singh alias Nitish Madan Murari Singh (Male), aged about 44 years, Son of Dr. Madan Murari, resident of 34, Kasturba Path, North Sri Krishnapuri, Police Station- Sri Krishnapuri, Patna, District- Patna, at present residing at Oasis Plaza, Plot No. 224, Bazar Road, Besides Rajaram Library Gokulpeth Shankar Nagar, S.O. Shankar Nagar, Nagpur, Maharashtra- 440010.

... .. Petitioner

Versus

1. The Magadh University through the Registrar, Bodh Gaya, District- Gaya.
2. The Vice Chancellor, Magadh University, Bodh Gaya, District- Gaya.
3. The Registrar, Magadh University, Bodh Gaya, District- Gaya.
4. The Controller of Examination, Magadh University, Bodh Gaya, District- Gaya.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr. Niranjan Kumar, Advocate
For the Respondent/s : Mr. Siddhartha Prasad, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

9 27-07-2023 Heard learned counsel for the petitioner and learned counsel for the Magadh University (hereinafter referred to as the ‘University’).

2. The petitioner in the present case has filed this writ application with the following reliefs:-

“(i) Issuance of an appropriate direction, order or writ including writ in the nature of mandamus commanding the respondent no. 1 to mark out the correct registration number in marks sheets as well as provisional certificate of 8 (eight) students, who are passed out students of K.S. College of Professional Education, Plot No. 821, 830, 831, Street/Road – Neora, Vill/P.O.- Neora, Tehsil/Taluka- Bihata, Town/City- Danapur, District- Patna, Bihar-



801113 (hereinafter to be referred as the College) of B.Ed. Course for academic session 2017-19 whose names are shown at Sl. No. 53 to 60 in Annexure- 11 by allotting correct registration number meant for the students of B.Ed. course for academic session 2017-19 in the same series as allotted to other similar students of B.Ed. Course for academic session 2017-19. Such 8 (eight) students whose names are shown in Annexure -11 from Sl. No. 53 to 60 being students of the college have already passed B.Ed. first year examination (2017-19) and B.Ed. Second Year Examination (2017-19) with other similar students conducted by respondent no. 1. Their respective result have already been published and they have been issued marks sheets as well as provisional certificate but incorporating therein wrong registration number not meant for the students of B.Ed. Course for academic session 2017-19.

(ii) Issuance of an appropriate direction, order or writ including writ in the nature of mandamus commanding the concerned authorities to supply registration slip of the student of the college of B.Ed. Course for academic session 2017-19, whose names are shown in Annexure -11 at Sl. No. 53 to 60.

(iii) Issuance of an appropriate direction, order or writ including writ in the nature of mandamus commanding the concerned authorities to supply registration number of one student of the college of B.Ed. Course for academic session 2017-19, who has been issued admit card of B.Ed. 1st year examination (2017-19) and B.Ed. 2nd year examination (2017-19). Such student's name of B.Ed. course for academic session 2017-19 has been shown at Sl. No. 61 of Annexure – 11.

(iv) Any other relief(s) that the petitioner may be found entitled to in the facts and circumstances of the present case.”

3. After several indulgences granted to the University, finally on 20.07.2023, in presence of the Controller of



Examination, Magadh University, this Court passed the following order:-

“Pursuant to the order directing the Controller of Examination to be present in-person, Mr. Anand Kumar Singh, the Controller of Examination, Magadh University, Bodhgaya is present in-person. A fresh registration card of the student, namely, Shubham Anand has been handed over to the learned counsel for the petitioner for onward transmission to the said student.

2. In course of hearing, today, the attention of this Court has been further drawn towards the list of the students of the petitioner College who are still waiting for certain corrections and/or making available of their educational certificates.

3. This Court has been given to understand that learned counsel for the petitioner, learned counsel for the Magadh University (hereinafter referred to as the ‘University’) and the Controller of Examination of the University shall sit together today itself and the entire issues which are arising in case of some of the students shall be resolved by the Controller of Examination and in case the co-operation of any other authority of the University is required, he or she would be obliged to co-operate in resolution of the issues.

4. After carrying out necessary corrections and making available the certificates of those students, a short affidavit shall be filed before this Court showing compliance of this order in its terms and spirit.

5. This Court has noticed in its order dated 19.07.2023 how the registration card was issued without providing the roll no. and by erasing the earlier name mentioned in the column of father’s name and then putting a whitener whereupon the name of the father was written making the very entries suspicious.



6. If such practice is allowed to go on, the students are likely to face a lot of issues and hardships in future. Therefore, this Court deems it just and proper to direct the Registrar, Magadh University, Bodhgaya to look into this aspect of the matter, stop this practice and fix the responsibility upon those staffs who do not abide by the instructions and indulge in causing such hardships to the students.

7. There will be no need of personal appearance of the Controller of Examination on the next date.

8. As prayed, list this matter on 27th July, 2023 under the same heading maintaining its position when the compliance of the order shall be shown to this Court.”

4. Today, an affidavit has been filed on behalf of the Respondent Nos. 1 to 4. Annexure ‘A’ to the affidavit is a minute of the meeting in which learned counsel for the petitioner and the Chief Administrative Officer of the K.S. College of Professional Education (in short ‘College’) have put their signature. From Annexure ‘A’, it appears that the original registration cards, original marksheets and provisional certificates of the six students, namely, Shruti Bajpai, Shweta Kumari, Sikandra Kumar, Shubham Anand, Usha Kumari and Susma Rani have already been received by the Chief Administrative Officer of the College on 17.07.2023.

5. The original marksheets and provisional certificates of the two students, namely, Tabassum Khatoon and Vivek Kumar were handed over to the Chief Administrative Officer of



the College on 20.07.2023.

6. Mr. Siddharth Prasad, learned counsel for the University submits that the only issue which is now being raised on behalf of the petitioner College is about the registration slip/card of three students, namely, Swati Das, Vivek Kumar and Tabassum Khatoon. It is submitted that from Annexure 'B Series', it would appear that the registration card of Swati Das has been received by an employee, namely, Surya Kant Singh of the College on 26.07.2023. So far as the registration card of Vivek Kumar and Tabassum Khatoon are concerned, the students have themselves received their registration cards.

7. Learned counsel for the petitioner has though tried to raise an issue as to how the University can hand over the registration cards to the students, this Court is of the considered opinion that such issue has no significance in the present writ application.

8. The grievance of the petitioner College has been redressed, hence, this writ application cannot proceed further. It is being disposed of as having become infructuous.

(Rajeev Ranjan Prasad, J)

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