

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.450 of 2023

1. Tanmay Anand (Minor) through his natural guardian and father Sudhir Kumar Sudhanshu son of late Janardan Prasad, resident of Phulkaha, P.O.- Jadiya, P.S.- Jadiya, District- Supaul.
2. Ashish Kumar Anand (Minor) through his natural guardian and father Mahendra Prasad Yadav, resident of Village- Gelhiya, P.S.- Pipra, District- Supaul.
3. Sujit Bharti (Minor) through his natural guardian and father Sunil Kumar Bharti, son of Raghunandan Mehta, resident of Village- Jadiya, P.O.- Jadiya, P.S.- Jadiya, District- Supaul.
4. Babu Saheb (Minor) through his natural guardian and father Arun Kumar, son of Madho Sah resident of Barsem, P.S.- Basnahi, District- Saharsa.
5. Gaurav Anand (Minor) through his natural guardian and father Ajay Kumar Yadav, son of Kapileshwar Prasad Yadav, resident of Village and P.O.- Manga Sihaul, P.S.- Marauna, District- Supaul.
6. Kaushal Kumar (Minor) through his natural guardian and father Subhash Yadav, son of Sukhdeo Yadav, resident of Village- Pairwaha, P.S.- Jadiya, District- Supaul.
7. Ruchi Kumari (Minor) through her natural guardian and father Anmol Kumar, son of Chit Narain Das, resident of Village- Latauna Uttar, P.S.- Triveniganj, District- Supaul.
8. Sonam Raj (Minor) through natural guardian and father Vijay Kumar, son of Gopal Yadav, resident of Village and P.O.- Koslipatti, P.S.- Pipra, District- Supaul.
9. Alia Praveen (Minor) through her natural guardian and mother Raunak Praveen, wife of Md. Afroz Khan, resident of Village- Sukhiya, P.S.- Banmankhi, District- Purnea.
10. Jyoti Kumari (Minor) through her natural guardian and father Subhash Chandra Chudhary, son of late Raghuni Choudhary, resident of Village- Mankhahi, P.O.- Makuna, P.S.- Bihra, District- Saharsa.
11. Aditya Bharti (Minor) through his natural guardian and father Gopal Krishna Bharti, son of Ramdeo Chaupal, resident of Village- Katahi, P.S.- Chhatapur, District- Supaul.

... .. Petitioner/s

Versus

1. The Navoday Vidyalaya Samiti through its Chairman, having his office at B-15, Institutional Area, Sector- 62, NOIDA (Uttar Pradesh)
2. The Commissioner, Navoday Vidyalaya Samiti, B-15, Institutional Area, Sector- 62, NOIDA (Uttar Pradesh)
3. The Deputy Commissioner, Navoday Vidyalaya Samiti, Regional Office, Patna having his office at J3GM Plus MQC, Block A and B, Karpoori Thakur Sadan, Ashiyana Digha Road, Patna.
4. The District Magistrate, Madhepura.



5. The Principal, Jawahar Navoday Vidyalaya, Sukhasan, Madhepura- 852128

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 339 of 2023

Ankit Kumar (Minor) S/o Sri Manoj Kumar Sah, R/o Village - Khajuri, P.S.-
Bhargama, District- Araria under guardianship of his father.

... .. Petitioner/s

Versus

1. The Commissioner, Jawahar Navodaya Vidyalaya Samiti, B/15, Institutional Area, Sector- 62, Noida (U.P.)
2. The Deputy Commissioner, Navodaya Vidyalaya Samiti, Patna Region, Karpoori Thakur Sadan, Kendriya Karyalaya Parisar, Adhiyana Digha Road, P.S.- Rajeev Nagar, Patna.
3. The Collector, District- Madhepura.
4. Sri R.S. Mandal the Incharge Principal, Jawahar Navodaya Vidyalaya, Sukhasan, District Madhepura (Bihar)

... .. Respondent/s

Appearance :

(In Civil Writ Jurisdiction Case No. 450 of 2023)

For the Petitioner/s	:	Mr.Prashant Sinha, Advocate Mr. Amit Kumar, Advocate Mr. Rishi Kumar, Advocate Mr. Boua Jha, Advocate Mr. Rishi Raj Raman, Advocate
For the Respondent/s	:	Mr.Madhaw Pd. Yadaw (GP23) Mr. Arvind Kumar, AC to GP23
For the JNV	:	Dr. K. N. Singh, ASG Mr. Siddhartha Prasad, Advocate

(In Civil Writ Jurisdiction Case No. 339 of 2023)

For the Petitioner/s	:	Mr. Bishwajeet Singh, Advocate Mr.Kundan Kumar Singh, Advocate
For the Respondent/s	:	Mr.Madan Jeet Kumar (GP 20)
For the JNV	:	Dr. K. N. Singh, ASG

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

ORAL ORDER

4 25-02-2023 In view of the judgment passed by this Court in
*Paramjeet Kumar (minor) and Ors. Vs. The Union of India and
Ors.* decided on 25.02.2023 in *CWJC No. 502 of 2023*, the issue



raised in the present petitions stand finally adjudicated. The judgment passed by this Court (supra) shall apply *mutatis mutandis* to the present cases. The operative portion of the judgment reads as under :-

“23. Having reached to the aforesaid conclusion, this Court finds that the reasons for denying admission to the petitioners after they were duly selected and found meritorious, solely on the basis of their parents not being residents of the district, is not sustainable in law.

24. In view of the above, their rejection of admission letters dated 22.11.2022 are quashed and set aside and the respondents are directed to consider the petitioners for admission as per their merit in the JNV, Jamui and allow them to join and continue their studies. The students would also be provided extra tuition in order to cover up the period.”

The writ petitions stand allowed in the same terms as above.

(Sanjeev Prakash Sharma, J)

Ashwini/-
Item No.7 & 7.1

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