

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1644 of 2018

In
Civil Writ Jurisdiction Case No.19262 of 2018

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1. Om Chandra @ Om Chandra and Ors S/o Sri Umesh Chandra, R/o Village-Pirari, Kumhar Tola, Piraridih Anchal Dariyapur, District- Saran.
 2. Manish Kumar, S/o Hari Charan Rai, R/o Mehdi Nagar Bankat, P.O.-Singaila Bakhari, Motipur District- Muzaffarpur.
 3. Ranjeet Kumar Chaudhary, S/o Mahendra Chaudhary, R/o Village-Harchanda, Anchal- Kanti, District- Muzaffarpur.
 4. Arjun Kumar, S/o Late Vishwanath Prasad Gupta, R/o Laxmi Chauk, P.O.-M.I.T., P.S.- Brahmpura, District- Muzaffarpur.
 5. Ashutosh Kumar, S/o Mishrilal Sah, R/o Krishanlal Lane, Orient Club, Amgola, P.O.- Ramna, Muzaffarpur.
 6. Pawan Kumar, S/o Sri Krishnadev Sah, R/o Bulakipur, Ward No.12, Block-Riga Pokharbhinda, District- Sitamarhi.

... .. Appellant/s

Versus

1. Mahatma Buddha Teacher Training College Drub Nagar
2. R.S.S. College T.T Wing Chochahan Muzaffarpur, through its Administrator namely, Rajiv Raanjan.
3. L.P. Shahi Institute of Teachers Education, Dighra, Rampur Saha, Muzaffarpur, through its Principal
4. Siddique Memorial Teacher Training College, Sarmastpur, P.O. Chandanpatti, Muzaffarpur through its
5. L.N. Mishra College of Business Management Bhagwanpur Chowk Muzaffarpur, through its Registrar, nam Son of Late Nigamanand Kumar.
6. Kumar Shartendu Shekhar, Son of Late Nigamanand Kumar. presently posted as Administrative Officer Cum Registrar L.N. Mishra College of Business Management Bhagwanpur Chowk Muzaffarpur.
7. B.R. Ambedkar Bihar University, Muzaffarpur through its Registrar.
8. Vice Chancellor, B.R. Ambedkar Bihar University, Muzaffarpur.
9. Registrar B.R. Ambedkar Bihar University, Muzaffarpur.
10. State of Bihar through the Chief Secretary, Government of Bihar Patna.
11. Principal Secretary, Human Resource Development Department, Government of Bihar, Patna.
12. Chancellor of Universities of Bihar, Raj Bhavan, Patna.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Manoj Kumar Manoj, Advocate
For the Respondent/s : Mr. Ashutosh Ranjan Pandey, AAG-15



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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)
Date : 21-07-2023

1. The appellants are before us on leave who are students of the batch of academic years 2015-17. The prayer of the petitioners was that they should be asked to pay only Rs.1,00,000/- as decided by the University for the year 2015-17. A reading of the judgment of the learned Single Judge would indicate that the University had issued instructions for enabling the colleges to take a fee of Rs.1,30,000/- for the B.Ed. course of 2 years in the various colleges affiliated to the University on the basis of which a prospectus was also brought out. The appellants herein are all persons who were admitted in the year 2015 and who continued in the course till 2017. While the course was going on, the Chancellor brought out a fee structure at the rate of Rs.95,000/- which was to the fee charged by the privately managed unaided teachers training colleges for B.Ed. Course. This was interfered with by this Court in **Mirza Ghalib T.T. College and others and analogous cases Vs. State of Bihar and others [2017(1) PLJR 256]**.

2. The petitioners are the persons who paid as per the prospectus. Communication was further issued by the



Universities limiting the fee to Rs.1,00,000/- for the B.Ed courses based on a decision of the Government in 2016. The petitioners contend that the said communication was challenged before this Court in which by the impugned order, the learned Single Judge set aside the communication and enabled the colleges to collect the fee as prescribed in the prospectus.

3. In fact, after the Chancellor's order was passed, the Government also had brought out a notification No. 12/Est. 03/2014 dated 14.03.2016 by which the Government also prescribed a fee of Rs.1,00,000/- for the two year course. However, in **C.W.J.C. No. 10534 of 2017(Secretary, Prakash B.Ed. Teachers Training College, Chetan Chhapra and another vs. The State of Bihar and others)** the said order also has been set aside.

4. The present appeal is filed by the students of the academic year 2015-17 challenging the order of the learned Single Judge which set aside the communication of the Universities which prescribed the fee of Rs. 1,00,000/- retrospectively for the academic year 2015-17. The appellants herein are all persons who got admitted on the basis of prospectus which prescribed the fee to be Rs. 1,30,000/-. The communication issued by the Chancellor, the Government and



the University amending the fee retrospectively and reducing it, was set aside by this Court in various writ petitions. There is absolutely no ground on which the appellants can claim for lesser fee in the academic years in which they were admitted; based on the prospectus in which the fee liability for the students admitted to the course was also clear.

5. We find no reason to entertain the appeal and the same is dismissed.

(K. Vinod Chandran, CJ)

(Partha Sarthy, J)

Spd/Shiv

AFR/NAFR	
CAV DATE	N/A
Uploading Date	24.07.2023.
Transmission Date	N/A

