

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5061 of 2024

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1. Rahul Kumar Son of Sri Ganga Vishnu Sah, Resident of Village and Post-Satanpur, P.S.- Ujiarpur, District- Samastipur, PIN- 848132.
 2. Vikash Kumar, Son of Sri Ravindra Prasad, resident of Village and Post-Rajarampur, P.S.- Saraiya, District- Muzaffarpur, PIN- 843126.
- Petitioners.

Versus

1. The State of Bihar represented through the Additional Chief Secretary, Education Department, Bihar, Patna.
2. The Additional Chief Secretary, Education Department. Bihar, Patna.
3. Baba Saheb Bhimrao Ambedkar Bihar University, represented through its Vice Chancellor, Muzaffarpur.
4. The Vice Chancellor, Baba Saheb Bhimrao Ambedkar Bihar University, Muzaffarpur.
5. The Registrar, Baba Saheb Bhimrao Ambedkar Bihar University, Muzaffarpur.
6. The Examination Controller, Baba Saheb Bhimrao Ambedkar Bihar University, Muzaffarpur.
7. Ram Shrestha Singh College Teachers Training Wing, represented through the Principal, Chochahan, Muzaffarpur.
8. The Principal, Ram Shrestha Singh College Teachers Training Wing, Chochahan, Muzaffarpur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Kuber Pathak, Adv. Mr. Sanjay Kumar, Adv.
For the Respondent/s	:	Mr. Ram Shankar Prasad, AC to GP14
For the University	:	Mr. Zaki Haider, Adv.
For the Respondent Nos. 7 and 8:	:	Mr. Sanjeet Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

7 17-09-2024 Heard learned counsel for the petitioners, learned counsel for the respondent nos. 7 and 8, learned counsel for the University and learned counsel for the State.

2. The present writ petition has been filed seeking the following reliefs:



“(i) For directing the respondent University either to organize a Special Examination of B.Ed. Course students, who have been declared fail in Second Year Examination of Session 2017-19 or allow them to participate in upcoming examination with any regular batch of B.Ed. Course Second Year Examination.

In alternatively declare the petitioners qualified in B.Ed. Course of Session 2017-19 as these petitioners have got only one mark and three marks short in optional paper i.e. Guidance and Counselling.

(ii) For grant of any other relief/reliefs for which petitioners are entitled for.”

3. A supplementary counter affidavit has been filed on behalf of the University in which it is stated that the examination of Session 2017-19 has already been held along with Session 2018-20. However, it is noted that there is no document available to substantiate that the respondent College was notified about the scheduling of the examination of Session 2017-19 along with Session 2018-20.

4. Considering the fact that no examination was conducted by the University for Session 2017-19, this matter is remanded back to the University to consider the case of the petitioners and conduct special examination of the petitioners within a period of four weeks from the date of receipt/production of a copy of this order.

5. It is expected that respondent no.6 will comply this order within the stipulated period.



6. With the aforesaid direction, this writ application
stands disposed of.

(Anjani Kumar Sharan, J)

anand/-

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