

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4546 of 2025

1. Rajesh Kumar, S/o Dhanjay Chaudhary resident of Chaita Bahori, P.S- Sanjhauli P.O- Siyawak, District- Rohtas (Bihar) -802219.
2. Harsh Kumar, S/o Sunil Kumar, Resident of Kazibagh, Gulzarbagh, P.S.- Alamgang, P.O Gulzarbagh, District -Patna, Bihar - 800007.
3. Manmohan Singh, S/o Santosh Singh, resident of Near Ashok Cinema ke paas ward no 03, Piro, P.S - Piro, P.O Piro, District- Bhojpur, Bihar -802207.
4. Sonali Kumari, D/o Sadanand Singh, Resident of Simaria, P.S Barauni, P.O- Simaria, District- Begusarai, Bihar 851126
5. Rishu Raj, S/O Sujeet Kumar, Resident of Kurwanchak, Jamanganj, P.S. Makhdumpur, P.O. Jamanganj, District- Jahanabad, (Bihar) -804405
6. Anshika Raj @ Anshika Kumari, D/o Ajay Prasad, Resident of Dariyapur, Tetranwan, P.S Manpur, P.O- Tetranwan, District Nalanda (Bihar)803101
7. Nivash Kumar, So Sujeet Kumar, Resident of Immamganj, P.S. Jamharu, Dist. Patna, Bihar- 804426.
8. Himanshu Kumar, S/o Binod Kumar Gupta, resident of Dharahra, Paliganj, P.S- Paliganj, P.O Paliganj, District -Patna, Bihar, Pincode 801110.
9. Ravi Ujjawal, S/o Shankar Prasad, resident of Daudnagar, Durgadab ward no 19, P.S Daudnagar, P.O - Daudnagar, District- Auranagabad, Bihar - 824143.
10. Nitish Kumar, S/o Lal Babu Singh, resident of Village Rampur, P.S.- Chandi P.O - Pratappur District- Bhojpur (Bihar) 802161.
11. Avdhesh Kumar, S/o Sunil Mandal, resident of Village Belbihma, P.S- Tarapur, P.O- Harpur, District- Munger(Bihar).
12. Abhinav Vats, S/o Alok Murari resident of Ward no 07 Manchi, P.O- Bhandari, P.S- Sitamarhi. District- Sitamarhi (Bihar) 843316.
13. Ashish Kumar, S/o Anirudh Prasad, resident of Harla P.O- Baghi Bardiha. P.S- Nawada. District -Nawada, Bihar-805104.
14. Suprabhat Kumar, S/O Prabhakar Kumar, resident of Gandhi Ashram, Sector 02 Dhruwa, Ranchi P.O- Dhuwa P.S- Ranchi, District- Ranchi (Jharkhand) -834004.
15. Priya Kumari, D/o Janardan Tanti , resident of Ward no.-10,maranchi English Mokama (Patna), P.S- Maranchi, P.O- Maranchi, District- Patna (Bihar)-803301.
16. Abhishek Kumar, S/O Ramsubodh Ray, resident of Sherpur, P.O- Dhandhua, P.S-Jandha, District - Vaishali Bihar 844504
17. Naveen Kumar, S/O Asharfhi Kumar, resident of Barmatpur, P.O- Daamodarpur, P.S Kanti, District - Muzaffarpur, Bihar - 843113.
18. Mritunjay Kumar, S/O Chunchun Kumar, resident of Bhadaus, P.O- Bhadaus, P.S- Sirari, District - Sheikhpura, Bihar- 811107.
19. Badal Prakash, S/o Sunil Kumar resident of Baksawan, Vaishali, P.O-



Vaishali, P.S- Vaishali, District Vaishali (Bihar) 844122.

20. Abdul Basit, s/o Mohammad Abdul Jalil resident of Ward no 24, Danapur, P.O- Danapur Cantt, P.S- Danapur, District- Patna (Bihar) 801503
21. Raja, S/o Ranjay Kumar, resident of Bhirha, Amarpur, Lakhisarai, P.S- Amarpur, P.O- Amarpur, District- Lakhisarai (Bihar) 811106
22. Anurodh Kumar, S/o Paramanand Kumar, Resident of Chak Bharat, Chak Bharath Patti P.O- Phulwaria, P.S- Muzzafarpur, District- Muzzafarpur (Bihar) 843107
23. Anand Kishor, S/o Kaushal Kishor. Resident of Lutaut, P.O- Chhathiyara, P.S. Karandey District- Sheikhpura (Bihar)-811304
24. Sandeep Kumar. S/O Ram Briksh Mahto, resident of Rajopatti, south of mill Tolla, P.S- Punaura, P.O- Rajopatti, District- Sitamarhi. (Bihar)- 843302.
25. Ritik Kumar Ram, S/O Rajendra Ram, resident of Chaumukha P.S Pachrukhi, P.O Nainpura, District- Siwan, (Bihar)- 841241
26. Mausham Kumari, D/O Rakesh Kumar, Resident of Hathiya, P.O.- Darha, P.S.- Belhar, District- Banka, (Bihar)- 81312.

... .. Petitioner/s

Versus

1. Bihar Engineering University through its Vice Chancellor, office at Bihar Engineering University, 6th Floor, Examination Block, Aryabhatta Knowledge University, Mithapur, Patna, Bihar- 800001.
2. Registrar, Bihar Engineering University, 6th Floor, Examination Block, Aryabhatta Knowledge University, Mithapur, Patna, Bihar- 800001
3. Controller of Examinations, Bihar Engineering University, 6th Floor, Examination Block, Aryabhatta Knowledge University, Mithapur, Patna, Bihar - 800001.
4. Principal, Buxar College of Engineering Mahdah etadhi Road Police Line Gajadhar Ganj Buxar 802103
5. Principal, Bhojpur College of Engineering Bhojpur, Bihar.
6. Principal, Bhagalpur College of Engineering Bhagalpur, Bihar.
7. Principal, Arwal College of Engineering Arwal, Bihar
8. Principal, Purnea College of Engineering, Purnea, Bihar.
9. Examination Controller, Sitamarhi Institute of Technology, Sitamarhi, Gosaipur, Dumra, Sitamarhi 843302

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mrs. Nivedita Nirvikar, Sr. Adv.
	:	Mr. Arya Achint, Adv.
	:	Mr. Shashank Shekhar, Adv.
	:	Mr. Pravin Kumar, Adv.
For the Respondents	:	Mrs. Binita Singh, Sc28
For the University	:	Mr. Satyam Shivam Sundaram, Adv.



CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 26-06-2025 1. The present writ application has been filed by the petitioners, who are studying in various engineering colleges in the State of Bihar, for a direction to the Bihar Engineering University to conduct a special examination of fourth semester for the petitioners.

2. Mrs. Nivedita Nirvikar, learned senior counsel appearing for the petitioners, submits that the petitioners have cleared their 1st semester examination, 2nd semester examination and 3rd semester examination and are entitled to take the 4th semester examination. Some of the petitioners failed in 2nd semester examination, however, before the scheduled date of final examination of 4th semester examination on 17.02.2025 to 03.03.2025, the result of 2nd semester examination of some of the petitioners were not published, therefore, they were debarred from participating in 4th semester examination. It was due to non-publication of the 2nd semester result within time, the petitioner has suffered at the hands of the university.

3. Learned counsel further submits that the regulation for the degree of Bachelor of Technology and Bachelor of Pharmacy Program is being implemented for the petitioners to



the extent that as per the regulation 5.7, the candidates are required to obtain 5 CGPA in semester 1, 2, and 3 collectively. This regulation was not implemented at any point of time earlier and the students in previous session were allowed to participate in the subsequent semester examination without insisting upon them to obtain the 5 CGPA in the semester examination collectively. She further relied upon the letter of the Principal of B.C.E., Bhagalpur, dated 15.02.2025 addressed to the Controller of Examination, Bihar Engineering University requesting to issue admit card of some of the students referred in the letter saying that in the 2nd semester results, they obtained 5 CGPA and therefore they are entitled to participate in the 4th semester examination.

4. Learned counsel for the University relying upon the order, dated 17.03.2025, passed in CWJC No. 15827 of 2024, submits that in case of similarly situated examinees/students of Engineering Colleges, a Co-ordinate Bench of this Court directed the petitioners to file their representation before the Registrar, Bihar Engineering University, along with supporting documents within a period of 4 weeks with further direction to the Registrar to dispose the representation by a speaking order in accordance with law within a period 4 weeks after affording



opportunity of hearing to the petitioners or their counsel. It has further been observed that the order must be passed keeping in view the decision taken by the University to grant relaxation by way of conducting special examination as well as promotion to the Junior Batch 2022-26.

5. I have heard learned counsel for the parties and have gone through the materials available on record and the order passed by the Co-ordinate Bench of this Court. The petitioners who are students are seeking a direction to the University to hold a special examination of 4th semester on the ground that due to non-publication of the result of 2nd semester examination by the University, the petitioners have suffered a lot and they have not been allowed to participate in the 4th semester examination. The career of the petitioners is at stake and they may lose their valuable academic years. Petitioners have completed their classes of 4th semester upon being allowed by the respective colleges.

6. Considering the aforesaid and the order passed in similar writ petition by the Co-ordinate Bench, I direct the petitioners to file a representation before the Registrar for conducting special examination for the 4th semester and allowing them to appear in the 3rd semester examination to be commenced from 10.07.2025 within a period of one week.



7. If such a representation is filed, the Registrar of the University is directed to take a decision on the representation after affording opportunity of hearing to the petitioners or their representative/counsels and dispose the same by a reasoned order within a period of two weeks from the date of decision of this court.

8. Since the matter relates to the career of students and is urgent, it is expected from the University that they will abide by the order of the Court within the stipulated time.

9. With the aforesaid direction and observation, the present writ application is disposed.

(Anil Kumar Sinha, J)

HarshPandey/-

