

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.7563 of 2025**

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1. Vibhuti Kumari Daughter of Bablu Kumar Jha, Resident of village and P.O.- Chainpur, P.S.-Bangawon, District Saharsa.
2. Rani Kumari, Daughter of Ramesh Ray, Resident of village- Dharampur, P.O.- Kesho Naraenpur, P.S.-Tajpur, District- Samastipur.
3. Md. Faijan, Son of Md. Muslim, Resident of village- Zamira, P.S.- Barsoi, P.O.- Balupara, District- Katihar.
4. Satwik Shrivastava, Son of Rajesh Kumar, Resident of mohalla- Bankers colony Banuchhapar, P.O. and P.S.- Banuchhapar, District West Champaran.
5. Ayush Kumar, Son of Mukesh Kumar Resident of village and P.S.- Harlochanpur Sukki, P.O.- Sukki, District- Vaishali.
6. Subham Kumar, Son of Avadh Kishor Mandal, Resident of village- Mohanpur, P.S.- Pirpanti P.O.-Govindpur, District- Bhagalpur.
7. Mayank Raj, Son of Avdhesh Kumar Thakur, Resident of village- Pakshim Bhatsara, P.S.- Barhara Kothi, District- Purnia.
8. Ravishant Kumar, Son of Suresh Prasad Yadav, Resident of Barhara, Ward no.- 10, P.S.- Narpatganj, District- Araria.

... .. 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- 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, Motihari College of Engineering, Motihari, District- East Champaran.
5. Principal, Government Engineering College, Banka, District- Banka.
6. Principal, Government Engineering College, Nawada, District- Nawada.
7. Principal, Darbhanga College of Engineering, Darbhanga, District- Darbhanga.
8. Principal, Shri Phanishwar Nath Renu Engineering College, Araria, District- Araria.

... .. Respondent/s

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**Appearance :**

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| For the Petitioner/s     | : | Mr.Rajeev Ranjan, Adv.                              |
| For the University       | : | Mr. Satyam Shivam Sundaram, Adv.<br>Mr. Ankit, Adv. |
| For the Respondent No.5: |   | Mrs. Binita Singh, SC-28.                           |

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

3      22-07-2025

Heard Mr. Rajeev Ranjan, learned counsel for the



petitioners, Mrs. Binita Singh, learned SC-28 for the Respondent No.5 and Mr. Satyam Shivam Sundaram, learned counsel appearing for the University.

2. The petitioners, who are studying in various Engineering Colleges in the State of Bihar, have preferred the present writ application for a direction to the Bihar Engineering University to conduct a Special Examination of 1<sup>st</sup> and 2<sup>nd</sup> Semesters.

3. Mr. Ranjan, learned counsel for the petitioners submits that the petitioners got less than 5 'CGPA' (Cumulative Grade Point Average) in their first and second Semester examinations of B.Tech in Sessions 2023-2027, as such, they are not being promoted in the 3<sup>rd</sup> semester. The examination of 3<sup>rd</sup> Semester is now over. The petitioners are not being allowed to attend their classes for the 3<sup>rd</sup> Semester. 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 Semesters 1, 2 and 3 collectively. This Regulation was not implemented at any point of time earlier and the students in previous sessions were allowed to participate in the subsequent



Semester examination without insisting upon them to obtain the 5 'CGPA' in the Semester examination collectively.

4. Learned counsel for the University relying upon Annexure-P/11 submits that sessions of these petitioners is 2023-2027 and after creation of Bihar Engineering University, in the first batch of sessions 2022-2026 as one time measure Special Examination for a year back students of previous batch was conducted but on 09.04.2025, the University decided unanimously that Special Examination for these students is not possible, hence, these students will be treated as year back students. The End Semester Examination of 1<sup>st</sup> Semester for 'Year-Back Students of 2023-2027 Batch already held on 07.05.2025 onwards but these petitioners did not participate in the said examination.

5. Learned counsel for the petitioners relied upon an order passed by this Court in CWJC No. 4546 of 2025 and submits that the representation filed by the petitioners of the aforesaid writ application has been been disposed by the University and the petitioners were allowed to participate in 3<sup>rd</sup> Semester examination by the Controller of the examination which would be evident from Letter dated 08.07.2025.

6. Learned counsel for the University submits that it



was not a Special Examination but the writ petitioners of the aforesaid case were allowed to participate in the 3<sup>rd</sup> Semester examination of junior batch.

7. Be that as it may, considering the submissions of the parties, I direct the petitioners to file representation before the Registrar for redressal of their grievances.

8. If such 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/counsel and dispose the same by a reasoned order within a period of four weeks from the date of filing of the representation.

9. With the aforesaid observation/direction, the present writ application stands disposed of.

**(Anil Kumar Sinha, J)**

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