

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.484 of 2026
In
Civil Writ Jurisdiction Case No.6134 of 2026

1. Pappu Kumar Thakur Son of Shri Yogendra Thakur, resident of village- Sikariya, P.O.- Indarpur, District- Rohtas.
2. Rani Kumari, S/o Rabindra Singh, R/o village- Senduar, P.O. and P.S.- Dayalpur, District- Saran.
3. Aditi Kumari D/o Shree Prakas Singh, R/o village- Sendhuaar, P.O.- Dayalpur, P.S.- Janta Bazaz, District- Saran.
4. Annu Kumari, D/o Raman Kumar, R/o village- Chai Tola, Kadam Kuan, P.O.- Kadam Kuan, P.S.- Kadam Kuan, District- Patna.
5. Sunny @ Sunny Kumar R/o village- Pakahan, P.O.- Marhavra, P.S.- Marhavra, District- Saran.

... .. Appellant/s

Versus

1. Patliputra University through its Vice Chancellor, Old Bypass Road, Kankarbagh, Patna, Bihar- 800020.
2. The Registrar, Patliputra University, Patna.
3. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna.
4. Oxford College of Research and Management, having its registered office at Kolhar, Machhiriawan, Fatuha, Patna through its Principal/Authorized Representative.
5. Raja Kumar, S/o Dharmdev Thakur, R/o village- Subhai Mishra Tola, P.O.- Subhai, P.S.- Hajipur Sadar, District- Vaishali.
6. Abhay Kumar, S/o Surendra Sah, R/o village- Bheriya, P.O. and P.S.- Dhamar, District- Bhojpur.
7. Narayan Kumar, S/o Sunil Kumar, R/o village- Barki Khrwan, P.O.- Lala Bhadsara, P.O.- Belhawi, District- Patna.
8. Vivek Kumar, R/o Salempur, P.O. - Salkhani, P.S.- Salkhani, District- Vaishali.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Tuhin Shankar, Mr. Shashank Shekhar, Advocates
For the Respondent/s	:	Mr. Manish Kumar, Government Pleader (12)

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 26-05-2026

Heard the parties.



2. Learned counsel for the appellants/petitioners submits that the writ petition was originally filed for permitting the petitioners along with other similarly situated students admitted in BBA and BCA courses of Oxford College of Research and Management (Respondent herein) to allow them to appear in the ensuing examinations for the academic session 2025-26 being conducted by Patliputra University on 04.06.2026.

3. It has next been submitted that since the dates of examination were announced, the petitioners are said to have filed an interlocutory application for allowing them to provisionally appear in the ensuing examinations for BBA and BCA courses, which has been rejected *vide* interim order dated 15.05.2026 passed in their writ application. It is the case of the petitioner that the original relief and as also the interim relief sought by these petitioner being similar in nature and the nature of order passed by the Writ Court having the trappings of finality, in view of judgment rendered by the Hon'ble Apex Court in the case of *Shyam Sel & Power Limited And Anr. v. Shyam Steel Industries Limited [Civil Appeal No. 1984 of 2002 arising out of SLP© No. 4080 of 2022]*, this matter can be heard appreciating the plight of these applicants, who are



students, whose future would be at stake.

4. Since the only prayer which the appellants/ petitioners are making in the instant Letters Patent Appeal is that the writ petitioners may be permitted to take part in the examination, which is scheduled to be held on 04.06.2026 in respect of the students admitted in BBA and BCA courses for academic sessions 2025-26 which in the given facts and circumstances of the case, deserves to be entertained to protect the rights of these petitioners in the interest of justice.

5. It is the case of the petitioners that the Patliputra University *vide* its meeting held on 26.03.2025 in respect of 19th Affiliation and New Teaching Programme Committee had allowed temporary affiliation in favour of the appellant-College for the academic year 2025-26. It has next been submitted that the Academic Council of the Patliputra University in its 16th meeting unanimously approved the decision of 19th Affiliation and New Teaching Programme Committee and further on 29.03.2025, the Syndicate of Patliputra University in its 25th meeting also approved the decision of 19th ANTPC but only for two sessions, which covers the academic sessions of the year 2025-26. It has further been submitted that the Senate of Patliputra University in its 9th meeting approved the decision of



the syndicate and on approval of the decision by the syndicate and the Senate of Patliputra University, AICTE is said to have also granted approval to the Appellant College for conducting BBA and BCA courses for the Academic sessions 2025-2026. The decision which is taken by the AICTE on 30.04.2025 is appended to the writ petitions as Annexure P/1. It is also the case of the appellant that Patliputra University forwarded the matter to the State Government for formal approval under Section 21(2) (d) of the Bihar State Universities Act, 1976 and the State authorities after due considerations and deliberation made with regard to affiliation having been granted by the Patliputra University and the approval of the AICTE, the Respondent State is said to have granted formal approval of the College on 13.05.2026 under 21(2) (d) of Bihar State University Act, 1976 and accordingly, the legal deficiency to continue with the courses having already been complete and there may not be any reason with the State authorities and as also the Patliputra University to deny admission and as also the writ petitioner to take part in the ensuing examination, which is scheduled to be held from 04.06.2026.

6. On the other hand, learned counsel for the State who was made available with the copies of the Memo of Appeal



submits that the matter may be adjourned to take instruction in this regard and file appropriate response in this case.

7. Since the date of examination is scheduled to be held from 04.06.2026 and *prima facie*, this Court is of the view that the AICTE and as also the Patliputra University have granted its approval and affiliation, based on which, the Respondent-State has also granted formal approval under Section 21(2)(d) of the Bihar State Universities Act, 1976, which order has also been appended with the writ petition as Annexure P/2, the appellants have made out a case for interference.

8. This Court with a view that the future of students cannot be put at stake and, as such, the Patliputra University is, accordingly, directed to complete the formalities of issuing Admit Cards to all the eligible candidates after verifying their *bona fide*, so that, these writ petitioners may participate in the ensuing examination without any legal hindrances and it is made clear that all these persons who are eligible to participate in their examination as per the criteria fixed for taking such examination, in such event, all such efforts shall be made by the authorities of the Patliputra University in facilitating all the eligible candidates to appear in the examination scheduled from



04.06.2026.

9. It is made clear that since the writ petition is pending and this Court has shown interference only to protect the valuable right of these petitioners in permitting them to appear in the ensuing examination scheduled to be held on 04.06.2026, without creating any right or equity in their favour, which is left open to be deliberated, tested and examined by the Writ Court in the pending cases.

10. With the aforesaid observation, the Letters Patent Appeal is disposed of.

(Ajit Kumar, J)

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