

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4537 of 2022

Shubhangi Pandey D/o of Abhishek Kumar Pandey Resident of Road no. 9C, Rajiv Nagar, P.S. Rajiv Nagar, District Patna.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Principal Secretary, Department of Human Resources Department, Government of Bihar, Patna.
2. The Principal Secretary, Department of Human Resources, Government of Bihar, Patna.
3. The Director (Higher Education), Department of Human Resources, Government of Bihar, Patna.
4. The Magadh University through its Vice Chancellor, Bodh Gaya, Distt. Gaya.
5. The Registrar, Magadh University, Bodh Gaya, Distt. Gaya.
6. The Examination Controller, Magadh University, Bodh Gaya Distt. Gaya.
7. The Director, Bihar Institute of Law, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Ms. Shubhangi Pandey,(in person)
For the Magadh University: Mr. Ajay, Adv.
For the Respondent/s : Mr. Narendra Kumar, (AC to GP20)

**CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH
SHARMA**

ORAL ORDER

7 29-11-2022

1. The petitioner by way of this writ petition has prayed

as under:

“1. That the present writ application is being filed on behalf of petitioner for the following relief(s):-

a. For issuance of writ/writs in the nature of mandamus directing the respondent university to publish the result of B.A LL.B. (5 years course) 4th year (session 2020-2021) within one week.

b. For issuance of writ/writs in the nature of mandamus directing the respondent university to conduct the examination of B.A. LL.B (5 year course) 5th year (Session 2021-2022) in August 2022 and publishing the result by September 2022 according to Academic calendar of the University.



c. For further directing the respondents concerned to follow the guidelines issued by the University Grant Commission (UGC) with respect to conducting the examination according to Schedule for saving carrier and time of the Petitioner.”

2. This Court vide order dated 28th July 2022 noticed the assurance given by the learned counsel for the University that the result of the 5th year examination session shall be published positively. In terms of Section 30(2) of the Bihar Universities Act, 1976, the result of the examination is required to be published within sixty days of the completion of the concerned examination. Exam were held as per revised examination programme from 5th September 2022 up to 15th September 2022. The viva voce was conducted on 23rd and 24th September 2022.

3. The petitioner appearing in person submits that even as on today the result has not been declared. Although 60 days time prescribed under Section 30(2) of the Act has expired. Learned counsel for the University states that he has instructions to inform this Court that the result shall be declared positively within 15 days.

4. Students are not supposed to be preferring writ petitions for conducting of the examinations and declaration of results. It is a sad state of affairs reflecting the functioning of the University. If the State Government finds that the administration of the University is not being properly managed by the Vice Chancellor or the academicians, steps should be taken for administrative control of



such University, till the schedule of examinations and admissions are streamlined. The learned counsel appearing for the State Government would apprise the State Government about the observations of this Court who shall take necessary steps in this regard.

5. As regards, the result of the 5th year (final year) examination of B.A LL.B, taking on record the statement made at par by the learned counsel for the University. It is directed that the result shall be declared positively within 15 days from today, failing which, the University shall be liable to pay each student a compensation of rupees 10,000 each for each day's delay. This Court can pass an order for the compensation to be given to students whose entire one year has been delayed, on account of the scheduling and rescheduling of examinations by the University. The writ petition is disposed of in aforesaid terms.

(Sanjeev Prakash Sharma, J)

shaswat/-
Item No. 28

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