

(2011) 03 JH CK 0055

In the Jharkhand High Court

Case No : Writ Petition (C) No. 1585 of 2011

Aamrah Rizvi and Others

APPELLANT

Vs

Jharkhand Academic Council, Secretary, Jharkhand Academic
Council and Principal, SSLNT Mahila Mahavidyalaya

RESPONDENT

Date of Decision : 31-03-2011

Acts Referred:

Citation : (2011) 03 JH CK 0055

Hon'ble Judges : R.K. Merathia, J

Bench : Single Bench

Judgement

R.K. Merathia, J.—It is submitted by Mr. Sameer Prasad, learned Counsel appearing for the Petitioners that the college had taken the registration and examination fee on 02.09.2009 itself, but the college did not sent the registration forms and fees etc. within the last date i.e. 19.4.2010, and that Petitioners took part in Class XI examination of the college in regular manner awaiting registration, and therefore, they may be allowed provisionally to take part in the ensuing examination starting from 2nd April 2011 subject to decision of this case.

2. On the other hand, Mr. Anwar submitted that the last date for submitting registration form with late fees was 19.04.2010, but the college did not submit the forms and the fees. He further submitted that it is not known how the Petitioners took part in Class XI examination. In this circumstances, he submitted that J.A.C. is justifying in rejecting the request of the college to accept the registration and examination forms/fees etc. He further submitted that if Petitioners are allowed to take part in the examination provisionally, they may claim equity.

3. In the circumstances, the Principal- Respondent No. 3 is directed to submit all the forms and fees with the Council by 1:00 P.M. on 01.04.2011 on which Council will issue provisional admit cards so that the Petitioners can take part in the examination. Petitioners are permitted to file supplementary affidavit within one week.

4. Mrs. Vidyapati Kushwaha, the Principal - Respondent No. 3 is present in Court. She will file counter affidavit within two weeks from today. Within the same time, J.A.C. will file supplementary counter affidavit, if any.
5. It is made clear that this order is absolutely provisional and it will not create any right/equity to the Petitioners and the publication of result will be subject to decision of this case.
6. Put up this case on 18.04.2011 under the heading "For Admission".
7. Let a copy of this order be handed over to the parties.