
(2021) 06 PAT CK 0074

In the Patna High Court

Case No : Civil Writ Jurisdiction Case No. 10603 Of 2020

Osama Khursheed

APPELLANT

Vs

Patna University

RESPONDENT

Date of Decision : 21-06-2021

Acts Referred:

Citation : (2021) 06 PAT CK 0074

Hon'ble Judges : Sanjay Karol, CJ;S. Kumar, J

Bench : Division Bench

Advocate : Vishal Kumar Singh, Deepak Kumar Singh

Final Decision : Disposed Of

Judgement

Heard the parties.

Petitioner has prayed for following relief(s):-

I. For issuance of an appropriate writ of Mandamus or any other appropriate writ(s) or order(s) or direction(s) commanding the Respondents to

revoke the notification vide Memo No. Acad/- 307 dated 15.06.2020 in which it has been stated that the students of Post Graduate Self Finance

Courses who have been declared passed or who have been promoted to Semester(s) II, IV and VI in the current session have to deposit their

admission fee for their respective semesters by 31.07.2020.

II. For issuance of an appropriate writ of Mandamus or any other appropriate writ(s) or order(s) or direction(s) commanding the Respondents to

completely waive off the Semester fee of students or all the departments of Patna University because of the ongoing Pandemic COVID 19.

III. For issuance of an appropriate writ of Mandamus or any other appropriate writ(s) or order(s) or direction(s) commanding the Respondents to

revoke the order vide Notification No. 327 wherein increment of the revised course fees for different UG and PG Programmes/Courses for the Academic Year of 2020-21 has been notified.

IV. For issuance of an appropriate writ of Mandamus or any other appropriate writ(s) or order(s) or direction(s) commanding the Respondents to

extend the last date of online filling up admission forms including quota forms of all Postgraduate/ Undergraduate / Diploma (Regular / Self-financing)

Programmes / Courses of the Patna University from 14.08.2020, as the final exams of all departments have not yet been conducted.

V. For issuance of an appropriate writ of Mandamus or any other appropriate writ(s) or order(s) or direction(s) commanding the Respondents to

promote all the students of the final year/semester of the University on the basis of internal assessment and other such mechanisms like project and

assignments without conducting any examination in the physical mode or online mode.

AND/OR

VI. Pass any such order or direction which may deem fit to this Court in best interest of the Petitioner.â??

After the matter was heard for some time, learned counsel for the petitioner, under instructions, states that petitioner shall be content if a direction is

issued to the authority concerned to consider and decide the representation which the petitioner shall be filing within a period of four weeks from today

for redressal of the grievance(s).

Learned counsel for the respondents states that if such a representation is filed by the petitioner, the authority concerned shall consider and dispose it

of expeditiously and preferably within a period of three months from the date of its filing along with a copy of this order.

Statement accepted and taken on record.

As such, petition stands disposed of in the following terms:-

(a) Petitioner shall approach the authority concerned within a period of four weeks from today by filing a representation for redressal of the grievance(s);

(b) The authority concerned shall consider and dispose it of expeditiously by a reasoned and speaking order preferably within a period of three months

from the date of its filing along with a copy of this order;

(c) Needless to add, while considering such representation, principles of natural justice shall be followed and due opportunity of hearing afforded to the

parties;

(d) Equally, liberty is reserved to the petitioner to take recourse to such alternative remedies as are otherwise available in accordance with law;

(e) We are hopeful that as and when petitioner takes recourse to such remedies, as are otherwise available in law, before the appropriate forum, the

same shall be dealt with, in accordance with law and with reasonable dispatch;

(f) Liberty reserved to the petitioner to approach the Court, if the need so rises subsequently on the same and subsequent cause of action;

(g) We have not expressed any opinion on merits. All issues are left open;

(h) The proceedings, during the time of current Pandemic- Covid-19 shall be conducted through digital mode, unless the parties otherwise mutually

agree to meet in person i.e. physical mode;

The petition stands disposed of in the aforesaid terms. Interlocutory Application(s), if any, stands disposed of.