

SUPREME COURT OF INDIA

Sunil Kumar Parimal

Vs.

The State of Bihar

S.L.P. (C) No.3145 of 2007

(H.K. Sema and Lokeshwar Singh Panta JJ.)

11.09.2007

JUDGMENT

LOKESHWAR SINGH PANTA, J.

1. Special leave granted.

2. This appeal, by special leave, has been preferred by the appellants against the judgment and order dated 24.01.2007 of a Division Bench of the High Court of Judicature at Patna by which L.P.A. No. 697/2006 filed by the appellants was dismissed and thereby the order of the learned Single Judge dated 12.09.2006 dismissing the C.W.J.C. No. 8091/2006 of the appellants came to be affirmed.

3. The facts in brief giving rise to the filing of this appeal are as follows:- Tirhut Physical Education College, Muzaffarpur respondent No. 7 (hereinafter referred to as respondent College) was established in the year 1938. The State of Bihar respondent No. 1 (for short respondent-State) by Notification No. 25 dated 6.11.1993 granted permission to the respondent College to enroll one hundred students in C.P. Ed.

and one hundred students in D.P. Ed. Courses for the Sessions 1993-94 to 1995-96.

4. Sunil Kumar Parimal appellant No. 1 herein claims to be a first class post-graduate in Geography from Mithila University. He was enrolled in the respondent College in C.P.

Ed. Course for the academic session 1993-94. He completed his C.P. Ed course in March, 1995. His name was sent by the respondent College for appearing in the examination to be conducted by the Bihar School Examination Board, Bihar, Patna respondent No. 4 (hereinafter referred to as the respondent Board).

5. Shiv Shankar Roy appellant No. 2 is a Graduate in Commerce from Mithila University. He took admission to the D.P. Ed. course for the academic session 1995-96. He completed his course in March, 1996. The name of appellant No. 2 was also sent by the respondent College to the respondent Board for taking the examination. However, no examination was conducted by the respondent Board who is entrusted the responsibility of holding the examination for the said courses by the respondent-State.