

GAHC010222952023



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/5836/2023

A.M IFTIKARUJJAMAN
S/O- LATE ABDUL MANNAN,
VILLAGE- BATAIYA, P.O.- MULLAGANJ,
P.S.- NILAMBAZAR, DISTRICT- KARIMGANJ,
ASSAM, PIN- 788719.

VERSUS

THE STATE OF ASSAM AND 3 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY,
GOVT. OF ASSAM,
HIGHER EDUCATION DEPARTMENT,
DISPUR, GUWAHATI-6.

2:THE DIRECTOR OF HIGHER EDUCATION

KAHILIPARA
GUWAHATI- 19.

3:THE ASSAM UNIVERSITY
SILCHAR
REPRESENTED BY ITS REGISTRAR

SILCHAR
CACHAR
ASSAM
PIN- 788014.

4:THE PRINCIPAL
KARIMGANJ LAW COLLEGE
R.K. MISSION ROAD
KARIMGANJ

ASSAM
PIN- 788710

Advocate for the Petitioner : MR S A SIKDER

Advocate for the Respondent : SC, HIGHER EDU

BEFORE

HON'BLE MR. JUSTICE ACHINTYA MALLA BUJOR BARUA

O R D E R

04.10.2023

Heard Mr. SA Sikdar, learned counsel for the petitioner, Mr. SC Keyal, learned counsel for the respondents in the Assam University and Mr. S Hazarika, learned counsel for the respondents in the Higher Education Department, Government of Assam.

Issue notice returnable on 10.11.2023.

Extra copies of the writ petition be furnished to the respective learned counsel within three days.

Petitioner to take steps for service of notice on the respondent No. 4 by registered post with A/D card within three days.

The petitioner has the qualification of Assam Madrassa FM Final Examination of 2013 under the State Madrassa Education Board, Assam and also relies upon a notification issued by the Deputy Director of Madrassa Education and Secretary, State Madrassa Education Board, Assam, by which the Madrassa Final FM Examination had been declared to be equivalent to B.A Examination. Based upon the said qualification, the petitioner took admission to the LL.B Course in the respondent Assam University of being a student of Karimganj Law College.

The college authorities are not allowing the petitioner to further pursue with the LL.B Course as the authorities are unable to accept that the petitioner is duly qualified to be admitted to the LL.B Course by virtue of his qualification of Madrassa Final FM Examination.

The respondents in the Assam University to respond to the aforesaid question as to what is the required qualification to be eligible for admission to LL.B Course i.e. whether it should be the graduation degree simpliciter from a recognized university or any equivalence of a graduation in any discipline would also be a required qualification to be eligible for a LL.B Course.

The same question be also answered by the authorities in the Higher Education Department of the Government of Assam by expressing their views along with supporting materials.

List the matter again on 10.11.2023.

JUDGE

Comparing Assistant