

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.1744 OF 2015

(Arising from SLP(C) No.5299/2007)

Lalan Kumar and others ..Appellants

versus

State of Bihar and others ..Respondents

O R D E R

Leave granted.

The appellants have approached this Court, in order to assail the order passed by the High Court of Patna on 5.1.2007, while disposing of L.P.A. No.404 of 2001. The appellants' claim that they were admitted to the Rahmat-e-Alam College of Education, Kunjour (hereinafter referred to as the 'College') during the academic sessions 1992-93 to 1995-96. It is also the case of the appellants, that the college, to which the appellants were admitted, came to be recognised vide an order dated 4.12.1997 with effect from the years 1987-88. The High Court, while disposing of a bunch of cases through the common impugned order, has arrived at the conclusion that the recognition order dated 4.12.1997 was a forged order. It is in the aforesaid circumstances, that the claim made by the appellants before the High Court came to be rejected.

While rejecting the claim of the appellants, it was expressly noticed in the impugned order, that they had not

produced any documents to demonstrate that they were admitted to the college under reference during the academic sessions 1992-93 to 1995-96. Interestingly, appellants had not impleaded the college to which they were admitted as a party respondent. In the background of the fact that the appellants could not establish their admission in the college under reference, there can hardly be any justification for the appellants to seek a declaration of the validity of their result.

In the peculiar facts, as noticed by the High Court while passing the impugned order, it was imperative for the appellants to establish the factum of their admission to the college in question, during the particular academic sessions when they had pursued the B.Ed. Course in their pleadings. They ought to have established the same, by placing relevant documents on record. Even before this Court, there is no material whatsoever to establish that they were ever admitted in college, during the academic sessions 1992-93 to 1995-96.

In the above view of the matter, we find no justification whatsoever to interfere with the impugned order.

The instant appeal is accordingly dismissed.

.....J  
[JAGDISH SINGH KHEHAR]

NEW DELHI;  
FEBRUARY 10, 2015.

.....J.  
[S.A. BOBDE]

ITEM NO.5/1

SECTION XVI

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 5299/2007

(From the judgment and order dated 5.1.2007 in LPA No.404/2001  
of the HIGH COURT OF JUDICATURE AT PATNA)

LALAN KUMAR &amp; ORS.

Petitioner(s)

VERSUS

STATE OF BIHAR & ORS.  
(with interim relief)

Respondent(s)

Date : 10/02/2015 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE JAGDISH SINGH KHEHAR  
HON'BLE MR. JUSTICE S.A. BOBDE

For Petitioner(s) Ms. Mahalakshmi Pavani, Adv.  
Mr. G. Balaji, Adv.  
Ms. Athira Nair, Adv.

For Respondent(s) Mr. Manish Kumar, Adv.  
for Mr. Gopal Singh, AOR(NP)  
  
Mr. Shreepal Singh, Adv.  
Mr. K.Sita Rama Rao, Adv.

UPON hearing counsel the Court made the following  
O R D E R

Leave granted.

The appeal is dismissed in terms of the signed order.

(Parveen Kr. Chawla)  
Court Master

(Renuka Sadana)  
Court Master

[signed order is placed on the file]