

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.19388 of 2014

Dr. S.M. Ali Imam son of Late S.M. Zareef, Secretary of the S.M. Zaheer Alam Teachers Training College, P.S.+P.O.-Bahera, District-Darbhangha.

.... Petitioner/s

Versus

1. The Lalit Narayan Mithila University, Darbhanga
2. The Vice Chancellor of the Lalit Narayan Mithila University, Darbhanga.
3. The Registrar of the Lalit Narayan Mithila University, Darbhanga.
4. The Controller of Examination, Lalit Narayan Mithila University, Darbhanga.

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Pushakar Narain Shahi, Sr. Advocate
Mr. Sarva Deo Singh
For the University : Mr. Chandra Mohan Singh
For N C T E : Mr. S N Pathak
For the Intervener : Mr. R S Pradhan, Sr. Advocate
Mr. Jai Prakash Verma

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
ORAL JUDGMENT
Date: 20-03-2015

A K Tripathi, J.

The dispute which is going on between the family over the control of the management of the institution has dragged on for one to many years and has reached the High Court one to many times. This Court has been passing some kind of orders step by step at various stages. The time has come that the family feud must attain finality.

2. Time has also come when both the petitioner and the intervener must go to civil court, which I am told, there is already a suit pending and registered as T. S. No. 189 of 2014.

3. The civil court can be approached for passing any

declaration and orders and decide the status of the managing committee and its control before further indulgence can be given either to the petitioner or the intervener.

4. Writ application is dismissed on this score alone as Article 226 of the Constitution of India has its limitation and all the issues including the present one has its origin as to who should be at the helms of affair of the institution or institutions run by the committee.

(Ajay Kumar Tripathi, J)

R.K.Pathak/-

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