

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10690 of 2014

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Governing Body of Syed Nehal Ahsan, Evening College, Barh, through its President, Syed Shah Hasan Mani Son of Late Syed Shah Sharf-e-Alam, resident of Shah Market, Mohalla - Khalifabagh, P.S. Kotwali, Town and District Bhagalpur.

.... Petitioner

Versus

1. The State of Bihar.
2. The Principal Secretary, Human Resource Development Department, Govt. of Bihar, Patna.
3. The Director, Higher Education, Human Resource Development Department, Govt. of Bihar, Patna.
4. The Joint Secretary, Human Resource Development Department, Govt. of Bihar, Patna.
5. The Vice Chancellor, Magadh University, Bodh Gaya.
6. The Registrar, Magadh University, Bodh Gaya, Gaya, Bihar.

.... Respondents

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Appearance :

For the Petitioner	:	Mr. Rajendra Narayan, Sr. Advocate Mr. Ranjay Kumar Singh, Advocate Mr. Ravish Chandra, Advocate
For the State	:	Mr. Ravindra Kumar, AC to AAG10
For the University	:	Mr. Vipin Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 06-11-2015

Writ application of the petitioner is for a direction upon the respondents now to grant permanent affiliation to the college concerned in view of subsequent development. These additional prayer and relief have been made in I.A. No.9013 of 2015 which is allowed.

Irrespective of the past transactions and controversies, the fact stands which is evident from Annexure-21 that a three member committee was set up by the State Government under the signature of Joint Secretary, Education Department, Government of

Bihar on 13.02.2015. Recommendation in favour of the institution is there for grant of permanent affiliation. The Magadh University has also supported or recommended such a grant.

It is the inaction, therefore, on the part of the State authorities which has generated a litigation.

Since the State authorities have now to take a decision in terms of recommendation contained in Annexures-22 and 23, the writ application can be disposed of even if in absence of a counter affidavit of the State by directing the Principal Secretary, Department of Education, Government of Bihar that a decision on the prayer and request of the petitioner should be taken within a period of three months from the date of production of a copy of this order.

Writ is disposed of with the above direction.

(Ajay Kumar Tripathi, J.)

Sanjay/-

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