

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.17821 of 2015

=====

1. Barun Kumar S/o Ramautar Paswan R/o Village - Sanhaiya, P.S. - Ariyari,
District - Sheikhpura.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The SC/ST, Department of Welfare through its Principal Secretary, Bihar, Patna.
3. The Principal Secretary, the SC/ST Department of Welfare, Bihar, Patna.
4. The Deputy Director, Welfare Department, Patna Division, Patna.
5. The District Magistrate, Patna.
6. The District Welfare Officer, Patna.
7. The Vice Chancellor, Patna University, Patna.
8. The Registrar, Patna University, Patna.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Onkar Nath

For the Respondent/s : Mr. ASHOK KUMAR KESHARI,. AAG-11

=====

CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

and

**HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL JUDGMENT

**(Per: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH)**

Date: 09-12-2015

In the present application, filed under Article 226 of the Constitution of India, in the nature of *Public Interest Litigation*, the petitioner seeks quashing of letter No. 3059, dated 10.10.2015, issued by the District Welfare Officer, Patna, whereby *Dr. Bhimrao Ambedkar Welfare Hostel, Saidpur, Patna*, has been handed over to the Patna University for the purpose of administrative control.

2. It is the case of the petitioner that the Hostel was meant for students studying in various institutions irrespective of the

University, whereas by virtue of the impugned letter, now only the Patna University shall have administrative control over the hostel and students studying in the University will be allowed seats in the hostel.

3. We do not find any element of *Public Interest* in the present proceeding inasmuch as it is purely the executive decision of the State Government to hand over the said hostel to the Patna University for the purpose of administrative control.

4. A submission has been advanced on behalf of the petitioner that the said hostel was constructed on the land donated by local people for construction of that particular hostel. Such disputed question of facts can be adjudicated upon only in an appropriate suit before a Court of competent civil jurisdiction.

5. This application in the nature of *Public Interest Litigation* cannot be entertained and is accordingly closed, with a liberty to the petitioner to take recourse to law as may be permissible to him.

(I. A. Ansari, ACJ)

(Chakradhari Sharan Singh, J)

ArunKumar/-

U			
---	--	--	--