

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5030 of 2015

- =====
1. Dr. Prabhakar Pd Singh, son of Late Jai Narayan Singh, Resident of Village+P.O.- Kodana, at & District- Bhojpur, at present working as Lecturer/Asstt. Professor (in the Department of Zoology) Mahadeo Singh College, Kilaghat Sarai, Bhagalpur.
 2. Dr. Vijay Kumar, Son of Late Rakasha Singh, Resident of Village+P.O.- Onama, Sheikhopur Sarai, P.S.- District Sheikhpura at present working as Lecturer/Asstt. Professor (in the Department of Geography) Mahadeo Singh College, Kilaghat Sarai, Bhagalpur.
 3. Ajit Kumar Sharma, Son of Sri Ram Sharma, Resident of At +P.O.- Harpur P.S.- Shahkound, Dist.-Bhagalpur, at present working as Lecturer/Asstt. Professor (in the Department of Geography) Mahadeo Singh College, Kilaghat Sarai, Bhagalpur.
 4. Ashok Kumar Sharma, Son of Sri Rajendra Sharma, Resident of Vill. Mania, P.O.-Manjhgayn, Dist. Munger at present working as Lecturer/Asstt. Professor (in the Department of Geography) Mahadeo Singh College, Kilaghat Sarai, Bhagalpur.
 5. Dr. Basudha Nand Thakur, Son of Sri Brij Bihari Thakur, Resident of Vill-14, Haradevacha (Gokul Mathura), P.O.- Refatpur, P.S.- Pirpanti, Dist.- Bhagalpur, at present working as Lecturer/Asstt. Professor (in the Department of Physics) Mahadeo Singh College, Kilaghat Sarai, Bhagalpur.
 6. Chandra Mani Pandey, Son of Sri Indra Deo Pandey, Resident of Vill- Gouripur, P.O.- Mirzachauki, P.S.-Ishipur Barahat (Pirpanti), Dist.- Bhagalpur, at present working as Lecturer/Asstt. Professor (in the Department of Psychology) Mahadeo Singh College, Kilaghat Sarai, Bhagalpur.
 7. Dr. Shree Narayan sharma, Son of Late Devi Singh, Resident of Village-Maniyma, P.O.- Kazisaria, P.S.-Kako, Dist.- Jehanabad, at present working as Lecturer/Asstt. Professor (in the Department of Commerce) Mahadeo Singh College, Kilaghat Sarai, Bhagalpur.
 8. Ashutosh Kumar, son of Late Lakahan Lal Kumar, Resident of Indraprastha Colony(Lichi Bagan), Ishakchak, P.O- Ishakchak, P.S.- Ishakchak at Dist.- Bhagalpur. at present working as Lecturer/Asstt. Professor (in the Department of Chemistry) Mahadeo Singh College, Kilaghat Sarai, Bhagalpur.
 9. Md Imran Khan, Son of Md. Idris Khan, resident of Vill+P.O.- Habibpur, At & Dist.- Bhagalpur at present working as Lecturer/Asstt. Professor (in the Department of Zoology) Mahadeo Singh College, Kilaghat Sarai, Bhagalpur.
 10. Dr. Arvind Kumar Singh, Son of Shri Ramanand Singh, resident of village-Nayabazar At & Dist.- Bhagalpur, at present working as Lecturer/Asstt. Professor (in the Department of Commerce) Mahadeo Singh College, Kilaghat Sarai, Bhagalpur.
 11. Dr. Ashok Kumar Singh, son of Sri Tarkeshwar Prasad Singh, resident of Mohalla Rajas. N. Road, Behind K.K. Nursing Home, Mosakchak, District- Bhagalpur, at present working as Lecturer/Asstt. Professor (in the Department of Commerce) Mahadeo Singh College, Kilaghat Sarai, Bhagalpur.
 12. Sanjay Kumar Sinha, Son of Late Baleshwar Nath Singh, resident of Mohalla-Premlata Lane, Jogsar District- Bhagalpur at present working as Lecturer/Asstt. Professor (in the Department of Statistics) Mahadeo Singh College, Kilaghat Sarai, Bhagalpur.
 13. Adya Prasad Singh, Son of Late Parvati Singh resident of Village- Mania, P.O.- Manjhgain, At & District- Munger at present working as Lecturer/Asstt. Professor (in the Department of Political Science) Mahadeo Singh College, Kilaghat Sarai,

Bhagalpur.

14. Dr. S.M. Aquil Ahmad, Son of Late M. Jamil Ahmad resident of Chandni Chowk, Barahpura, At & District- Bhagalpur, at present working as Lecturer/Asstt. Professor (in the Department of Psychology) Mahadeo Singh College, Kilaghat Sarai, Bhagalpur.

15. Surendra Kumar Dokania, Son of Late Sri Niwas Dokania, resident of Mohall-Dinasah Lane. Mundichak, Patel Babu Road At & Dist Bhagalpur. at present working as Lecturer/Asstt. Professor (in the Department of Commerce) Mahadeo Singh College, Kilaghat Sarai, Bhagalpur.

16. Sharda Nand Mishra, Son of Late Anant Mishra, resident of Mohalla-Shyambag, P.O- Sultanganj, At & District- Bhagalpur, at present working as Lecturer/Asstt. Professor (in the Department of Commerce) Mahadeo Singh College, Kilaghat Sarai, Bhagalpur.

17. Dr. Asim Kr. Singh, Son of Late Laxmi Narayan Singh, resident of Mohalla-Jogsar Burhanath Dist.- Bhagalpur at present working as Lecturer/Asstt. Professor (in the Department of Commerce) Mahadeo Singh College, Kilaghat Sarai, Bhagalpur.

18. Dr. Rudra Nandan Jha Son of Late Bhagwat Jha, resident of Mohalla- Siya Ram Nagar, P.O.- Bahadurganj, Dist. Kishanganj. at present working as Lecturer/Asstt. Professor (in the Department of Chemistry) Mahadeo Singh College, Kilaghat Sarai, Bhagalpur.

19. Dr. Kumari Asha, Son of Sri Brahm Deo Prasad Singh, r/o Viveka Nand Colony, Sarai, At & Dist.- Bhagalpur at present working as Lecturer/Asstt. Professor (Head of Department of Chemistry), Mahadeo Singh College, Kilaghat Sarai, Bhagalpur.

20. Dr. Abhay Kumar Pandey, Son of Late Surendra Mohan Pandey, Mohalla-Digambar Sarkar Lane, Jogsar P.O.- Bhagalpur, P.S.- Adampur Dist.- Bhagalpur, at present working as Lecturer/Asstt. Professor (in the Department of History) Mahadeo Singh College, Kilaghat Sarai, Bhagalpur.

21. Diwakar Prasad, Son of Shree S.C. Sinha, resident of - Satsang Bhawan, S.K. Tarafdar Road, Adampur At & Dist.- Bhagalpur. at present working as Lecturer/Asstt. Professor (in the Department of Zoology) Mahadeo Singh College, Kilaghat Sarai, Bhagalpur.

22. Dr. Rajesh Kumar Rai. Son of Sri Ravideo Narayan Rai. Resident of Vill. + P.O.- Yondour, Distt. Ghazipur, (U.P.) at present working as Lecturer/Asstt. Professor (in the Department of Ancient Indian History & Culture) Mahadeo Singh College, Kilaghat Sarai, Bhagalpur.

23. Dr. Md. Qassim. Son of Late Abdul Rashid. Resident of Mohalla - P.O.- Tatarpur, P.S.- Tatarpur, District - Bhagalpur. at present working as Lecturer/Asstt. Professor (in the Department of Philosophy) Mahadeo Singh College, Kilaghat Sarai, Bhagalpur.

24. Dr. Ashok Kumar Pandey. Son of Sri Braj Bihari Pandey. Resident of Village - Meharpur, P.O.- Baraini, At & Dist.- Bhagalpur, at present working as Lecturer/Asstt. Professor (in the Department of Labour & Social Welfare) Mahadeo Singh College, Kilaghat Sarai, Bhagalpur.

25. Dr. kala Nand Singh. Son of Late Matuk Nath Singh. Resident of Village + P.O.- Kasba, Via - Shambhuganj, Banka, Dist.- Bhagalpur. at present working as Lecturer/Asstt. Professor (in the Department of Political Science) Mahadeo Singh College, Kilaghat Sarai, Bhagalpur.

26. Dr. Manoj Kumar Mishra. Son of Sri Pramod Hazari. Resident of Village + P.O.-Dumaria Buzurg, P.S.- Parbatta, Dist.- Khagaria, at present working as Lecturer/Asstt. Professor (in the Department of Gandhian Thought) Mahadeo Singh

College, Kilaghat Sarai, Bhagalpur.

27. Dr. Parma Nand Prasad Singh. S/o Late Siya Sharan Singh. Village + P.O.- Rehia (Lakhisarai) Dist.- Lakhisarai, at present working as Lecturer/Asstt. Professor (in the Department of Economics) Mahadeo Singh College, Kilaghat Sarai, Bhagalpur.

28. Rajendra Prasad Tiwari. Son of Late Pashupati Nath Tiwari. Resident of Mohalla - Gopi Mohan Ghosh Lane, Jogsar Burhnath Road, At & District - Bhagalpur, at present working as Lecturer/Asstt. Professor (in the Department of Ancient Indian History and Culture) Mahadeo Singh College, Kilaghat Sarai, Bhagalpur.

29. Dr. Prem Shanker Singh. Son of Late Sri Yamuna Prasad Singh. Resident of Village + P.O.- Bahorana, At & Dist.- Banka, at present working as Lecturer/Asstt. Professor (in the Department of Economics) Mahadeo Singh College, Kilaghat Sarai, Bhagalpur.

30. Ramashish Prasad Singh. S/o Late Shaligram Prasad Singh. Resident of Village & P.O.- Maheshpur, Via - Bariyarpur, At & Dist.- Munger, at present working as Lecturer/Asstt. Professor (in the Department of Sociology) Mahadeo Singh College, Kilaghat Sarai, Bhagalpur.

31. Dr. Rama Nath Jha. Son of Sri Bishwa Nath Jha. Resident of Village + P.O.- Sihaul, P.S.- Panch-gachiya, Dist.- Saharsa, at present working as Lecturer/Asstt. Professor (in the Department of Maithil) Mahadeo Singh College, Kilaghat Sarai, Bhagalpur.

32. Dr. Md. Naushad Alam. Son of Mansoorul Haque. Resident of Village - Jabbarchak, Dheerumistry Lane, P.O.- Bhagalpureily, p.S.- Talarpur, Ward No.15, Dist.- Bhagalpur, at present working as Lecturer/Asstt. Professor (in the Department of Urdu) Mahadeo Singh College, Kilaghat Sarai, Bhagalpur.

33. Dr. Rupa Shree Jayaswal, Son of Late Narayan Pd. Jayswal. Resident of Village Pipradih, Rajon At & District- Banka, at present working as Lecturer/Asstt. Professor (in the Department of Economics) Mahadeo Singh College, Kilaghat Sarai, Bhagalpur.

34. Dr. Gyani Kumari, Son of Late Parma Nand Sharma, resident of Naya Tola, Bhikhanpur, G.N.-12, Gyanendra Mukharjee Road, Shail Bhawan, At & Dist. Bhagalpur, at present working as Lecturer/Asstt. Professor (Head of the Department of Hindi) Mahadeo Singh College, Kilaghat Sarai, Bhagalpur.

35. Dr. Md. Mojeebur Rahman, Son of Late Md. Musa Kazoni, Resident of Mohalla East of Kotwali Thana, Kotwali Chowek, At & District- Bhagalpur, at present working as Lecturer/Asstt. Professor (in the Department of Botany,) Mahadeo Singh College, Kilaghat Sarai, Bhagalpur.

36. Arvind Singh, Son of Sri Shiv Raksha Singh, resident of Vill + P.O.- Akbarpur, Via- Surajgarha, Dist. Begusarai, at present working as Lecturer/Asstt. Professor (in the Department of English) Mahadeo Singh College, Kilaghat Sarai, Bhagalpur.

37. Kamlesh Kumar Rai, Son of Late- Muneshwar Prasad Rai, resident of Vill + P.O- Awathahi, Dist- Ghazipur (U.P.), at present working as Lecturer/Asstt. Professor (in the Department of Ancient India History) Mahadeo Singh College, Kilaghat Sarai, Bhagalpur.

38. Dr. Shiv Kumar Tiwari, Son of Late Datinarayan Tiwari, resident of Tiwari Bhawan, Shermari, Pirpanti, At & Dist.- Bhagalpur, at present working as Lecturer/Asstt. Professor (in the Department of Sociology) Mahadeo Singh College, Kilaghat Sarai, Bhagalpur.

39. Dr. (Mrs) Vibha Singh, Son of Late Gulab Singh, resident of Mohalla- Radha Rani Sinha Road, Mosakchack, Adampur, At & Dist- Bhagalpur, at present working as Lecturer/Asstt. Professor (in the Department of Sanskrit,) Mahadeo Singh

College, Kilaghat Sarai, Bhagalpur.

40. Dr. Asha Dubey, Son of Sri Damodar Prasad Dubey, resident of Mohalla-Vikramsheel Colony, Near Peer Asthan At & Dist.- Bhagalpur, at present working as Lecturer/Asstt. Professor (in the Department of Home Science) Mahadeo Singh College, Kilaghat Sarai, Bhagalpur.

41. Santosh Kumar Jha, Son of Sri Awadh Kishore Jha resident of Village + P.O.- Kadrachak, P.S.- Shambhuganj, Dist.- Banka, at present working as Lecturer/Asstt. Professor (in the Department of Gandhian Thought) Mahadeo Singh College, Kilaghat Sarai, Bhagalpur.

42. Md. Shabbir Ahmad, Son of Md. Mahbub Ali, resident of Village- Karharia, P.O.- Mahiama, P.S.- Ghogha, Dist. Bhagalpur at present working as Lecturer/Asstt. Professor (in the Department of Persian) Mahadeo Singh College, Kilaghat Sarai, Bhagalpur.

43. Saran Kishore Tiwary, Son of Late Uday Kishor Tewary, resident of Mohalla-Chandi Prasad Lane, Jogsar, At & Dist- Bhagalpur, at present working as Lecturer/Asstt. Professor (in the Department of Labour and Social Welfare) Mahadeo Singh College, Kilaghat Sarai, Bhagalpur.

44. Dr. Ganesh Pd Ray, Son of Late- Brahma Deo Roy, resident of Village- Hario, P.O + P.S.- Akbarnager, Dist. Bhagalpur, (Bihar), at present working as Lecturer/Asstt. Professor (in the Department of Botany) Mahadeo Singh College, Kilaghat Sarai, Bhagalpur.

45. Dr. Ashok Kumar Gupta. Son of Late Sarjug Pd. Gupta. Resident of Happy Complex, (Flat No. 1A) Ram Das Gupta Path, Laheri Tola, At & Dist.- Bhagalpur, at present working as Lecturer/Asstt. Professor (in the Department of Commerce) Mahadeo Singh College, Kilaghat Sarai, Bhagalpur.

46. Shahin Akhtar Jawaaid Ahmad. Son of Md. Zobair Ansari. Resident of Mohalla - Ali Buksh-Lane, Ward No.-5, P.O.- Nathnagar, At & Dist.- Bhagalpur, at present working as Lecturer Intermediate Section (in the Department of Urdu) Mahadeo Singh College, Kilaghat Sarai, Bhagalpur.

47. Dr. Krishna Kumar. Son of Late Rameshwar Pd. Singh. Resident of Mohalla - C/o Sri Nunu Lal Singh, "Janki Villa" Farish Lane, Adampur, At & Dist.- Bhagalpur, at present working as Lecturer Intermediate Section (in the Department of Rural Economics) Mahadeo Singh College, Kilaghat Sarai, Bhagalpur.

48. Awadhesh Kumar Roy. Son of Ram Janam Singh. Resident of Vill.- Narayanpur Taraita, P.O.- Masdi, Mushahari, p.S.- Sultanganj, At & Dist.- Bhagalpur, at present working as Lecturer Intermediate Section (in the Department of Geography) Mahadeo Singh College, Kilaghat Sarai, Bhagalpur.

49. Dr. Binod Kumar Pandey. Son of Sri Sarju Prasad Pandey. Resident of Village + P.O.- Srinagar, P.S.- Ishipur (Barahat) Dist.- Bhagalpur, at present working as Lecturer Intermediate Section (in the Department of History) Mahadeo Singh College, Kilaghat Sarai, Bhagalpur.

50. Md. Ziyauddin Ahmad Khan. Son of Md. Abul Fazal Khan. Resident of Mohalla - Ghanichak, Tatarpur (Bhagalpur), At & Dist.- Bhagalpur, at present working as Lecturer Intermediate Section (in the Department of Physics) Mahadeo Singh College, Kilaghat Sarai, Bhagalpur.

51. Pravin Kumar Choudhary. Son of Late Tapeswari Choudhary. Vill.+ P.O.- Singhia Makandpur, P.S.- Gopalpur, Dist.- Bhagalpur, at present working as Lecturer Intermediate Section (in the Department of Botany) Mahadeo Singh College, Kilaghat Sarai, Bhagalpur.

52. Uma Kumari Jha. W/o Dr. Basant Kumar Jha. Resident of Mohalla - Lakshmisagar Colony, Road No. 06 (A), At & Dist.- Bhagalpur, at present working as Lecturer Intermediate Section (in the Department of English) Mahadeo Singh

College, Kilaghat Sarai, Bhagalpur.

53. Smt. Bimla Devi. Wife of Late Muni Nath Jha. Resident of Mohalla - Bliss Cottage, Near Amulya Seva Sadan, Raja S.N. Road, Masakchak, At & Dist.- Bhagalpur, at present working as Lecturer Intermediate Section (in the Department of Maithili) Mahadeo Singh College, Kilaghat Sarai, Bhagalpur.

54. Suresh Prasad Yadav. Son of Sri Surajballi Yadav. Resident of Mohalla - Kailaghat, Adampur, At & Dist.- Bhagalpur, at present working as Lecturer Intermediate Section (in the Department of History) Mahadeo Singh College, Kilaghat Sarai, Bhagalpur.

55. Dr. Shashi Shekhar Singh. Son of Sri Kritya Nand Singh. Resident of Mohalla - Bhikhanpur, Gumti No. 2, Bhatt Road, At & Dist.- Bhagalpur, at present working as Lecturer Intermediate Section (in the Department of Geology) Mahadeo Singh College, Kilaghat Sarai, Bhagalpur.

56. Hari Nandan Pandey. Son of Sri Gopi Nath Pandey. Resident of Mohalla - Indraprasth Colony, Ishakchak (Lichi Bagan), At & Dist.- Bhagalpur, at present working as Lecturer Intermediate Section (in the Department of Mathematics) Mahadeo Singh College, Kilaghat Sarai, Bhagalpur.

57. Ranju Kumari. D/o Sri Chaturanand Pd. Sinha. Resident Of I.C. Chatterjee Road, Mundi Chak, P.S.- Ishakchak, At & Dist.- Bhagalpur, at present working as Lecturer Intermediate Section (in the Department of Sociology) Mahadeo Singh College, Kilaghat Sarai, Bhagalpur.

58. Chandika Prasad. Son of Shym Sunder Prasad. Resident of Village - Bhalha, Road, Bikhanpur, At & Dist.- Bhagalpur, at present working as Lecturer Intermediate Section (in the Department of Labour and Social Welfare) Mahadeo Singh College, Kilaghat Sarai, Bhagalpur.

59. C.P. Azad. Son of Shr. Bhagwan Prasad. Resident of Village - Bikhanpur Gumti No.-2, At & Dist.- Bhagalpur, at present working as Lecturer Intermediate Section (in the Department of Sociology) Mahadeo Singh College, Kilaghat Sarai, Bhagalpur.

.... Petitioner/s

Versus

1. The Vice Chancellor, Tilka Manjhi Bhagalpur University, Bhagalpur
2. Tilka Manjhi Bhagalpur University, Bhagalpur, through its Registrar.
3. The State of Bihar through the Principal Secretary, Higher Education Department, Govt. of Bihar, Patna.
4. Governing Body of Mahadeo Singh College, Bhagalpur through its Secretary namely Dr. Shailesh Pd. Singh son of Late Jaideo Pd. Singh, Office of Mahadeo Singh College, Kila Ghat, Bhagalpur.
5. Dr. K.D. Prabhat, S/o not known to the petitioner. Principal, Mahadeo Singh college, Kilaghat Sarai, Bhagalpur

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Mukul Sinha
 For the Respondent/s : Mr. Kundan Kumar, A.C. to SC32,
 For the University :- Mr. Rajendra Giri
 For Respondent nos. 4 and 5 :- Mr. Manish Kumar.

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
ORAL JUDGMENT

If there is any confusion in the mind of the University whether they have any obligation and duty to do so, the Court has only to remind them of the provisions contained in Section 59(2) of the Act which reads as under :-

(1) xxx xxx xxx
(2) to approve the action taken by the governing bodies of such colleges in regard to creation of posts of teachers, their appointments, dismissal, discharge, removal from service, termination of service and determination of term of post and to approve the deputation of teachers to the Intermediate College delinked from the affiliated College. “

Looking at the limited prayer of the petitioners and the communications already made by the governing body earlier with the University,

the Vice Chancellor of Tilka Manjhi Bhagalpur University, Bhagalpur is directed to do the needful so that the matter can be expedited and problems are not created in the funding or release of fund in favour of the Institution either by the State or the University. An early decision as well as exercise is warranted in the present case. Let the exercise be completed within a period of four months from the date of receipt/production of a copy of this order.

This writ application is disposed of with the above direction.

In view of the above order, there may not be any occasion now for the Managing Committee of the College in question to act in accordance with the advertisement contained in Annexures 1 & 1/1.

(Ajay Kumar Tripathi, J)

Amin/-

U			
---	--	--	--