

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.4961 of 2013

In
Civil Writ Jurisdiction Case No. 5861 of 2013

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Shakuntala Devi W/O Shri Shushil Kumar Resident Of Sonihar, P.S. Alouli,
District Khagaria.

.... Petitioner/s

Versus

1. The State Of Bihar.
2. Sri Abhijeet Sinha, Presently Posted As Principal Secretary, Higher Education, Government Of Bihar, Patna.
3. Dr. Nilambuj Kishore Verma, Presently Posted As Vice Chancellor Tilka Manjhi Bhagalpur University, Bhagalpur.
4. Md. Tahir Hussain Warshi, Presently Posted As Registrar, Tilka Manjhi Bhagalpur University, Bhagalpur.
5. Sri Shiv Shankar Azad, Presently Posted As Principal, M.S. College, Alouli, P.O. Sonihar, District Khagaria.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Singh, Adv.
For the Respondent/s : Mr. Rishiraj Sinha, GP-19

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 20-01-2015

Heard learned counsel for the parties.

The moment this Court is informed by the learned counsel for the petitioner that steps were taken for constitution of the regular governing body by nominating all the four officials capable of being nominated by the Vice Chancellor in terms of Section 60 of the Bihar State University Act, it has to be necessarily held that the efforts were definitely made by the Vice chancellor and Registrar of the Tilka Manjhi Bhagalpur University



to comply the order of this Court. The grievance raised by the learned counsel for the petitioner that the donor member and the teacher's representative were not finalized by the University cannot actually lead to Vice Chancellor or Registrar being held guilty because steps for such election of the donor representative and/or teacher's representative has to be taken by the Principal of the college and has to be intimated to the University for its approval.

In that view of the matter, while this Court is not inclined to initiated a proceeding of contempt but, at the same time, it would direct the Vice Chancellor and Registrar of the University must ensure that the governing body, as a whole, which would mean a body of seven persons, if not constituted even by now, must be constituted by ensuring election of the teacher's representative, donor representative and nomination of the copted member so that the governing body become fully functional.

This exercise must be completed within a period of three months from the date of receipt of this order and if there be any impediment on the part of the University or by the petitioner or any person of affiliated college, the same should be brought to the notice of this Court for making necessary modification in the order.

With the aforementioned observation and direction,
this application is disposed of.

(Mihir Kumar Jha, J)

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