

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.277 of 2015

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Rajeshwar Thakur Sanskrit Mahavidyalaya, Gorhiyari Raghapur, P.O- Raghapur
Deorhi, P.S- Manigachhi, District - Darbhanga through its Principal, Krishna Kant
Mishra Son of Late Abhinandan Mishra, Resident of Village - Dahora Tola Balia,
P.S- Manigachhi District - Darbhanga.

.... Petitioner

1. Versus

1. The State of Bihar through the Principal Secretary, Department of Education,
Govt. of Bihar. Patna.
2. The Principal Secretary, Department of Education Govt. of Bihar. Patna.
3. The Joint Secretary to Government, Education Department, Govt. of Bihar,
Patna.
4. The Deputy Secretary to Govt., Education Department, Govt. of Bihar, Patna.
5. The Director, (Higher Education), Education Department, Govt. of Bihar, Patna.
6. The Assistant Director, (Higher Education), Education Department, Govt. of
Bihar, Patna.
7. Kameshwar Singh Darbhanga Sanskrit University, Darbhanga through its
Registrar.
8. The Vice-Chancellor, Kameshear Singh Darbhanga Sanskrit University,
Kameshwarnagar, Darbhanga.
9. The Registrar, Kameshwar Singh Darbhanga Sanskrit University, Darbhanga.

.... Respondents

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Appearance :

For the Petitioner	:	Mr. Durga Nand Jha, Advocate
For the State	:	Mr. Nirbhay K. Singh, GP26
For the University	:	Mr. A.P. Sinha, Advocate

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
ORAL JUDGMENT
Date: 21-12-2015

Whenever a decision is taken within public domain
which has civil consequences, there is an obligation upon the
authority to pass a speaking order which can be put under judicial
scrutiny and the reason behind such decision can be looked into.

In the present case, the prayer of the petitioner for
recognition by the State Government has been rejected in a very
cursory and casual manner in a telegraphic language which they are

not in a position to even justify in the counter affidavit. Annexure-1 is the order dated 06.01.2014 which is under challenge. This order only indicates that the institution does not fulfill the requirements under Section 21 (d) of the Bihar Universities Act. Counter affidavit filed on behalf of the State does not shade any light as to what part of Section 21 (d) of the Bihar Universities Act has not been satisfied by the institution.

In view of the above, Annexure-1 dated 06.01.2014 is quashed. Writ is allowed. A direction is issued upon the State-respondents to pass a fresh order as to reason why the petitioner cannot be or can be given recognition. Such an order must be passed within a period of six months from the date of production of a copy of this order.

(Ajay Kumar Tripathi, J.)

Sanjay/-

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