

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.13034 of 2011

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1. Kirtan Prasad Singh S/O Late Bhola Prasad Sinha R/O Vill. + P.O.-Ekahari, P.S.-Ladania, Distt.-Madhubani.

.... Petitioner/s

Versus

1. The State Of Bihar.
2. The Principal Secretary, Human Resource Development Department, Govt. Of Bihar, Patna.
3. The Director, (Higher Education), Govt.Of Bihar, Patna.
4. The Lalit Narain Mithila University Kameshwar Nagar, Darbhanga, Distt.-Darbhanga Through Its Registrar.
5. The Vice-Chancellor, L.N. Mithila University Kameshwar Nagar, Darbhanga, Distt.-Darbhanga.
6. The Registrar, L.N. Mithila University Kameshwar Nagar, Darbhanga, Distt.-Darbhanga.
7. The Sukhdeo Mahto Janta College Khajedih Through Its Secretary.
8. The Principal, S.M.J. College Khajedih, Madhubani, P.S.-Ladania, Distt.-Madhubani.
9. Sri Dhaneshwar Prasad Singh The Secretary Of The Administrative Body Of S.M.J. College Khajedih, Madhubani, P.S.-Ladania, Distt.-Madhubani.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Saroj Kumar

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL

ORAL JUDGMENT

Date: 14-09-2015

Heard the Counsel for the petitioner and the State. No one has appeared on behalf of the University.

The petitioner claims himself to be one of donors of the land for establishment of a college called Sanjay Gandhi Sukhdeo Mahto Surat Mangal Nirmal Newa Janta College, Khajedih, Madhubani in the district of Madhubani. Right from its establishment and affiliation granted by the Bihar Intermediate Education Council, it is alleged that

the Managing Committee of the College committed lots of irregularities /illegalities in the matter of management of the college, the fund and the appointment of the teaching and non-teaching staff.

It has been submitted that the matter was reported to the University as well as to the Hon'ble Chancellor whereafter a report was called for from the Secretary/Principal of the College in question vide communication dated 30.05.2009 (Annexure-10). The said report has not been submitted and the matter has remained hanging in balance. The writ petition, therefore, be disposed of directing the respondent authorities to complete the enquiry into the allegations pertaining to the management of the college in question.

It does not appear from the writ petition that any such enquiry relating to the College/institution governed by Managing Committee is required in law to be looked into once they are levelled. However, it has been pointed out by Counsel for the petitioner that a kind of enquiry has already been initiated in which some report was also called for in the year 2009 from the management of the College in question. The same has not been completed.

Without opining any view on the merit of the claim of the petitioner as also the statutory compulsion of such inquiry, this Court disposes of the writ application by directing the concerned authority of the University to complete the enquiry, if pending, and take a final

decision in accordance with law preferably within four months from the date of receipt/production of a copy of this order before the respondent Registrar (respondent no. 6).

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(Kishore Kumar Mandal, J)