

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6179 of 2014

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Akshay Kumar S/o Rameshwar Prasad R/o Village - Asauri, P.S. - Magadh
University, District - Gaya

.... Petitioner/s

Versus

1. The Magadh University through its Registrar, M.U. Bodh-Gaya
2. The Registrar, Magadh University, Bodh-Gaya

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shiva Shankar Sharma
For the Resp-University : None

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 06-10-2016 Heard Mr. Shiv Shankar Sharma for the petitioner.

No one appears on behalf of the University.

On the basis of the letter of allotment (Annexure-1), it is claimed that the two sheds measuring 947 Sq.ft. was settled with the petitioner for running the Canteen. Such allotment was made in 2002. The respondent-University wants extension of the building which necessarily requires removal/demolition of the prevailing structures which include the two sheds. In the factual background, the notice dated 13.03.2014 (Annexure-4) was issued to the petitioner to vacate the premises. From the said notice, it further appears that the petitioner was running in huge default, in payment of the rent. On the basis of allotment letter (Annexure-1) a settlement for 33 years of the premises cannot be made. That

apart, the petitioner was held as defaulter in payment of rent. In my view, the petitioner does not deserve invocation of equitable and discretionary writ jurisdiction of the Court.

The writ application is dismissed.

Dismissal of this application shall, however, not preclude the petitioner from ventilating his grievance before the Registrar of the University. Needless to observe, if any such application/representation is filed, the same shall receive due consideration and disposal at the hand of the concerned respondent in accordance with law.

(Kishore Kumar Mandal, J)

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