

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.16855 of 2013

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1. Nawal Kishore Singh Son Of Late Saryug Yadav Resident Of Village Krisnapuri (Alalpatti) P.S. Laheriyasarai P.O. D.M.C.H., District Darbhanga
 2. Ram Darash Rai Son Of Ram Chandra Rai Resident Of Village Simtoka, P.O. Bhalura, District Muzaffarpur
 3. Ram Chandra Yadav Son Of Ram Nandan Yadav Resident Of Village + P.O. Kamlawari P.S Jainagar District Madhubani
 4. Satyanarayan Yadav Son Of Late Mosafir Yadav Resident Of Village Poari, P.O. Khairi Banka P.S. Bisfi District Madhubani
 5. Ajay Kumar Son Of Late Naresh Yadav Resident Of Village Chahatta P.O. Lontha P.S. Benipatti District Madhubani
 6. Pawan Kumar Bhagat Son Of Late Bishwanath Bhagat Resident Of Mohalla Laxmisagar Sadhugachhi P.O. Laxmisagar P.S. L.N.M. University, District Darbhanga
 7. Ramnandan Rai Son Of Mishri Lal Rai Resident Of Village Champapatti Rajwara P.O. Raghopur Demorhi P.S. Manigachhi District Darbhanga
 8. Ramendra Kumar Ravi Son Of Late Bhagwat Yadav Resident Of Village Nawala P.O. Darhar District Saharsa
 9. Sathrudhan Yadav Son Of Bhola Yadav Resident Of Village Balha P.O. Bhushkaul P.S. Kewati District Darbhanga
 10. Ram Pavitra Rai Son Of Ram Narayan Rai Resident Of Village Hanuman Nagar , P.O. Kanta, Pirauchha District Muzaffarpur
 11. Anil Kumar Verma Son Of Late Satish Chandra Verma Resident Of Village Poshanpura, P.O. Kabirchak, P.S. Sadar District Darbhanga
 12. Rakesh Raushan Son Of Tanuk Lal Yadav Resident Of Village + P.O. Kawariya P.S. Sadar District Darbhanga

.... Petitioner/s

Versus

1. The State Of Bihar Through The Principal Secretary, Department Of Education, Secretariat, Patna
2. The Director, Higher Education, Govt. Of Bihar , Secretariat, Patna
3. The Vice-Chancellor, Lalit Narayan Mithila University, Darbhanga
4. The Registrar, Lalit Narayan Mithila University, Darbhanga
5. The Principal, Lohia Charan Singh College, Ambedkar Nagar, Darbhanga

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Arun Kumar Bhagat, Advocate.
For the University	:	Mr. Ajay Bihari Sinha, Mr. Chandra Mohan Singh, Advocates
For the State	:	Mr. Anil Kumar Upadhyay, SC 2 Mr. Rohit Rajeshi, AC to SC 2.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 19-10-2016

Heard learned counsel for the petitioners and learned counsel for the State as well as University.

Claim has been made by the petitioners that the College is required, the Government should sanction the posts of teaching and non-teaching staff in accordance with the recommendation of the University. As has been claimed that the Government has earlier sanctioned posts of teaching and non-teaching staff but are not sufficient for running the said College as University after inspection found that in terms of the ratio of student and teachers it requires more sanction of the post.

Learned counsel for the University in his counter affidavit has taken a plea that after inspection recommendation has been sent to the State and the State has not taken final decision whereas the State has submitted that before 2008 policy of Bit Rahit has been withdrawn, has been replaced by the policy of Bit Sahit and the Government has been giving the grant to the College on the basis of performance of the College and for that it requires a fresh verification about the status of the College with respect to infrastructure as well as strength of students who have been regularly attending the classes.

In view of the stand of the State this Court cannot give direction to the State to grant sanction with respect to report

submitted by the University but instead the University is directed to constitute a three men committee of higher level of Officers of the University who will conduct inspection of the College and examine the infrastructure position and give its report, on turn report would be submitted to the State Government and State Government will act in accordance with law. The University will constitute a team of three men committee within a period of one month from the date of receipt/production of a copy of this order, Committee will furnish its report within two months thereafter and after receipt of the recommendation the Government will take decision within a period of six months.

With the aforesaid observation and direction this writ petition is disposed of.

(Shivaji Pandey, J)

Vinay/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	21.10.2016
Transmission Date	NA