

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.21991 of 2014

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1. Dr. Ashraf Ali, son of Md. Salim, Resident of Mohalla- Saadpura, Khajepur, P.O. -Ramna, P.S.- Kazi Mohammadpur, District- Muzaffarpur.
 2. Dr. Satish Kumar Arya, son of Late Kashinath Prasad Singh, Resident of Mohalla-Attandh, P.O.-Ramna, P.S.- Kazi Mohammadpur, District- Muzaffarpur.
 3. Dr. Om Prakash Angira Son of Dr. Murlidhar Sharma, Resident of Mohalla- Pani Tanki, P.O.- Ramna, P.S.-Mihapura, District-Muzaffarpur
 4. Smt. Sushma Bharti, Wife of Lalit Kishore, Resident of Mohalla- Attardah, Kachchi Pakki, P.O.- Ramna, P.S. Kazi Mohammadpur, Muzaffarpur.

.... Petitioners

Versus

1. The State of Bihar through the Principal Secretary, Higher Education Department, Govt. of Bihar, Patna.
2. The Registrar, B.R.A. Bihar University, Muzaffarpur.
3. The Principal, Dr. Ram Manohar Lohia College, Muzaffarpur.

.... Respondents

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Appearance :

For the Petitioner : Dr. Mahtab Ahmad, Advocate
For the State : Mr. N.K. Singh, G.P.26
For University : Mr. Dhruv Mukherjee

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 10-05-2016

Heard counsel for the petitioners, counsel for the University as well as counsel appearing on behalf of the State.

The four petitioners have filed the writ application together for a direction upon the State authorities first for grant of affiliation to the college from graduate level teaching in Commerce and thereafter sanction posts and absorb the petitioners against the same.

If the college authorities or the Managing Committee has no grievance against non-grant of affiliation for graduate level, the

Court fails to appreciate as to how these petitioners can make a grievance against non-grant of affiliation. Such prayer can only be made by the management not by the teachers. To that extent, the prayer is rejected. So far as absorption is concerned, that will be as a corollary to grant of affiliation at the level of graduation. The cause of action for the same has not arisen as of now, therefore, the second prayer as well of the petitioners are hereby rejected at this juncture.

However, the stand of the State in the counter affidavit is that the issue is being considered in accordance with law. Certain things have been stated with regard to status of these petitioners but the Court intentionally refrains from observing anything at this juncture lest it will create prejudice against the petitioners at an appropriate time.

Writ is dismissed with above observation.

(Ajay Kumar Tripathi, J.)

SanjayKumar/-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	11.05.2016
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