

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Civil Writ Jurisdiction Case No.10953 of 2017**

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Bhagwat Prasad, S/o Sri Bramdeo Prasad, R/o Village- Patuana, P.S.- Biharsharif,  
Nalanda.

.... .... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Education Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Education Department, Govt. of Bihar, Patna.
3. The Director, Higher Education, Govt. of Bihar, Patna.
4. Magadh University, Bodhgaya through its Registrar.
5. The Vice Chancellor, Magadh University, Bodhgaya.
6. The Registrar, Magadh University, Bodhgaya.
7. The Inspector of Colleges, Science and Arts, Magadh University, Bodhgaya.
8. The Controller of Examination, Magadh University, Bodhgaya.

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. P.K. Shahi, Sr. Adv.  
Mr. Maruth Nath Roy, Adv.  
For the University : Mr. Ritesh Kumar, Adv.

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH**

**ORAL JUDGMENT & ORDER**

**Date: 24-11-2017**

The present writ application has been filed seeking quashing of the order, dated 21.03.2014, issued by the Education Department, Govt. of Bihar, whereby, the State Government has



refused to approve the affiliation to Mahatama Budha Hiranman College, Patuana, Biharsharif, in the district of Nalanda (*in short 'the college'*) under Section 21 (2) (d) of the Bihar State Universities Act, on the ground that the college does not fulfill the prescribed standard for grant of such approval.

2. Learned counsel, appearing on behalf of the petitioner, has brought on record, by way of supplementary affidavit, a communication, dated 07.09.2017, issued by the Education Department, Govt. of Bihar, addressed to the Registrar, Magadh University, Bodh-Gaya (*in short 'the University'*), wherein, a decision has been taken to consider grant of approval of affiliation afresh, once the University sends the proposal in this regard.

3. It will be open to the State of Bihar to take appropriate decision in terms of the said letter, dated 07.09.2017, once the proposal is sent by the University, in accordance with the provisions of Section 21 (2) (d) of the Bihar State Universities Act.

4. With the observation as aforesaid, this application stands disposed of.

(Chakradhari Sharan Singh, J)

Praveen-II/-

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| AFR/NAFR          | NAFR       |
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