

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.17366 of 2009

1. Umakant-Radha Kant Sanskrit Mahavidyalaya, Jhanjharpur, P.S. Jhanjharpur, Distt.- Madhubani, Through Its Principal Komal Narayan Mishra, S/O Sri Mahakant Mishra
2. Sri Yugeshwar Mahanth Pathak Sanskrit Mahavidyalaya, Mansapur, P.O. Mansapur, Distt.- Madhubani, Through Its Principal Dr. Jai Shankar Pathak, S/O Late Yugeshwar Pathak
3. Sanskrit Mahavidyalaya, Pothiya P.O. Pothiya, Distt.- Katihar, Through Its Principal Or Chandra Shekhar Jha, S/O Mahendra Nath Jha
4. Pandit Nachari Jha Sanskrit Mahavidyalaya, Samastipur, P.O. And Distt.- Samastipur, Through Its Principal Sri Shashinath Mishra, S/O Late Haribansh Mishra
5. Irahusa Nand Kala Mahavidyalaya, Rahamganj, P.O. And P.S. Town Darbhanga, Distt.- Darbhanga Through Its Incharge Principal Sri Awadhesh Kumar, S/O Late Kameshwar Kumar
6. Jagdanand Songveda Sanskrit Mahavidyalaya, Balha, Pariharpur, P.O. Pariharpur, Distt.- Madhubani, Through Its Principal Kedarnath Jha, S/O Sri Manikant Jha
7. Vishwanath Sanskrit Mahavidyalaya, Morwa P.O. Morwa Distt.- Samastipur, Through Its Principal Sri Satya Narayan Mishra, S/O Late Birja Mishra
8. Harihar Chanran Bharti Sanskrit Mahavidyalaya, Dularpurmath At Teghra, P.O. And P.S. Teghra, Distt.- Begusarai, Through Its Principal Sri Sachchidanand Pathak, S/O Late Mangal Pathak
9. Swami Karmadeo Purushottam Giri Sanskrit Mahavidyalaya, Maharajganj, Siwan, Distt.- Siwan, Through Its Principal Sri Ras Bihari Upadhyaya, S/O Sri Umashankar Upadhyaya
10. Radha Govind Das Sanskrit Upshastri Mahavidyalaya, Marar P.O. Jagatpur, Distt.- Madhubani, Through Its Principal Sri Sukhdeo Chaudhary, S/O Late Jhauli Chaudhary
11. Chandi Dutta Upshastri Mahavidyalaya Pastan P.O. Gonauli, Distt. Madhubani Through Its Principal Rajendra Kumar Jha, S/O Sri Bhogendra Jha
12. Chandrika Das Sanskrit Mahavidyalaya, Dhouri, P.O. Bara Kharauni, Distt.- Bhojpur Through Its Principal Sri Kameshwar Singh, S/O Late Dharmadeo Singh
13. Mahanth Vivekanand Giri Sanskrit Mahavidyalaya, Manik Chowk, P.O. Manik Chowk, Distt.- Sitamarhi, Through Its Principal Sri Bipin Kumar Jha, S/O Sri Paramhans Jha
14. Shri Niwas Sanskrit Mahavidyalaya, Charitrawan, Buxar, Through Its Principal Sri Chandra Mohan Tripathi, S/O Late Ram Prasad Tripathi
15. Tarkeshwar Brajnandan Sharda Sanskrit Mahavidyalaya, Kochas P.O. Kochas, Distt.- Rohtas, Through Its Principal Sri Raj Narayan Pandey, S/O Late Brajnandan Pandey
16. Sanskrit Mahavidyalaya, Rerhiya, P.O. Doenya Via- Kochas, Rohtas, Through Its Principal Sri Ram Bachan Tiwari, S/O Late Kapildeo Tiwari

.... Petitioner/s

Versus



1. Kameshwar Singh Darbhanga Sanskrit University, Nagar Darbhanga, Distt.- Darbhanga Through Its Registrar
2. Vice-Chancellor, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga, Distt.- Darbhanga
3. Registrar, Kameshwar Singh Darbhanga Sanskrit University, Kameshwarnagar Darbhanga, Distt.- Darbhanga
4. The Controller Of Examination, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Distt.- Darbhanga
5. The State Of Bihar, Through Principal Secretary (Higher Education) Human Resources Development Deptt., Bihar Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Durga Nand Jha
For the University : Mr. Arabind Nath Pandey

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

17 10-05-2017

Following were the reliefs sought for on behalf
of the petitioners in the present writ application.

“(i) Issuance of a writ in the nature of Mandamus directing and commanding the respondents to allow the students of petitioners colleges to submit their fees and forms for ensuing examination of Shastri 1st Part, 2008 and Up-Shastri examination of 2009, proposed to be held from 30th December, 2009, as the petitioners colleges are affiliated with K.S.D.

(ii) Issuance of further writ in the nature of mandamus directing and commanding the respondent University and its authorities to hold special examination of Up-shastri and Shastri,



2007, 2008, 2009 examination in the interest of several thousands of students receiving education in petitioners' colleges.

(iii) Issuance of an appropriate holding that once the Examination Board took a decision in its meeting held on 28.05.2009 to conduct the examination of students of Vit Rahit affiliated colleges on the basis of report submitted by the Registrar, there appears no occasion to deny such examination in spite of the facts that the names of petitioners college were submitted by the Registrar vide letter, dated 20.06.2009.

(iv) Issuance of a direction to the respondents-University to perform its statutory duties and to implement the bilateral agreement, dated 09.09.2008 and 21.03.2009 and thereby to allow the students of petitioners colleges for Shastri/Up-shastri examination even by conducting special examination.

(v) Any other relief or reliefs be granted to petitioners to which they are found to be entitled to under the facts and circumstances of the case."

It is no more the grievance of the petitioners that the examination for the said sessions has not been held.

In the light of certain observations made by this



Court in the order, dated 17.05.2010, learned Counsel for the petitioners wants this Court to extend the scope of the present writ application by issuing direction to the respondent-University and the State to consider the case for grant of affiliation to various Colleges, who had approached this Court as the petitioners.

There is no such relief sought for in the present proceeding. Therefore, no direction can be issued.

This application is accordingly dismissed.

It goes without saying that the petitioners shall have liberty to approach the authorities for grant of affiliation

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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