

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.22059 of 2012

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Someshwar Nath Sanskrit Mahavidyalaya, Arerraj, East Champaran, District- East
Champaran through it's Principal Sri Upendra Kumar Mishra, S/o Sri Awadh
Kishore Mishra

.... Petitioner

Versus

1. Kameshwar Singh Darbhanga Sanskrit University Kameshwar Nagar,
Darbhanga, District- Dharbhanga, through it's Registrar
2. Vice Chancellor Kameshwar Singh Darbhanga Sanskrit University,
Kameshwarnagar Darbhanga, District- Darbhanga
3. Registrar, Kameshwar Singh Darbhanga Sanskrit University Kameshwar
Nagar, Darbhanga, District- Darbhanga
4. The Controller Of Examination Kameshwar Singh Darbhanga Sanskrit
University, Kameshwarnagar, District- Darbhanga
5. The State of Bihar through Principal Secretary (Higher Education) Human
Resources Development Department, Bihar, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Durga Nand Jha, Advocate
For the Respondent/s : Mr. Kumar Alok, SC -7
Dr. Raj Kumar Singh, AC to SC-7
Mr. Rakesh Kumar, AC to SC-7

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH
ORAL JUDGMENT

Date: 12-04-2017

Heard learned counsel for the petitioner and learned
counsel for the respondents.

The petitioner seeks a direction commanding the
respondents to accord approval of recognition of Someshwar



Nath Sanskrit Mahavidyalaya, Areraj, East Champaran. The writ application has been filed through the Principal of the College, Shri Upendra Kumar Mishra.

A counter affidavit has been filed on behalf of the respondents including one on behalf of the Principal Secretary, Human Resources Development Department stating therein that an enquiry was made by the Deputy Director, Higher Education, Government of Bihar on 02.09.2013 in which it was found that the college was not at all functioning and the Principal and Teachers of a nearby Sanskrit School informed that for last 20 years there has been no teaching work in the college. He, accordingly, concluded that the said Institution is fake Institution.

Learned counsel for the petitioner questioned the said report and submitted that a spot verification of the Institution can be ordered which will give the correct picture. By order dated 03.04.2017, the District Magistrate, East Champaran was directed to ensure immediate physical verification of existence of the said Institution. A report has been submitted, accordingly, by the District Magistrate through his letter dated 04.04.2017, based on spot inspection done by the Circle Officers, Areraj. In the report it has been mentioned that no teaching work is going on in the college for last several years.



This application, in my opinion, is frivolous and is, accordingly, dismissed with cost of Rs. 20,000/- to be paid by the Principal of the College from his own pocket in the account of Bihar State Legal Services Authority, Patna within a period of three months from today.

(Chakradhari Sharan Singh, J)

S.Pandey/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	21.04.2017
Transmission Date	

