

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.12202 of 2017

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1. Kamta Prasad Sinha College, Kinjar, Arwal through its Principal namely Gajendra Kumar Singh Son of Sri Ram Chandar Singh Resident of Village - Khaira Bazar, P.S. Kinjar, P.O. Nagla Kinjar, District - Arwal.
 2. Gajendra Kumar Singh, Son of Sri Ram Chandar Singh, Resident of Village - Kharia Bazar, P.S. Kinjar, P.O. - Nagla Kinjar, District - Arwal.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Special Secretary, Education Department, Government of Bihar, Patna.
4. The Joint Secretary, Education Department, Government of Bihar, Patna.
5. The Deputy Secretary, Education Department, Government of Bihar, Patna.
6. The Director, Higher Education, Government of Bihar, Patna.
7. The Magadh University, through its Registrar, Bodh Gaya, Gaya.
8. The Vice-Chancellor, Magadh University, Bodh Gaya, Bihar.
9. The Registrar, Magadh University, Bodh Gaya, Gaya.
10. The Examination Controller, Magadh University, Bodh Gaya, Gaya.
11. The Inspector of the Colleges (Science) Magadh University, Bodh Gaya, Gaya.
12. The Inspector of the Colleges (Arts and Commerce) Magadh University, Bodh Gaya, Gaya.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Kumar Kaushik, Adv.
For the MU	:	Mr. Shivendra Kishore, Sr. Adv.
For the State	:	Mr. Madhukar Mishra, AC to SC 16



CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL JUDGMENT

Date : 15-09-2017

Kamta Prasad Sinha College, Kinjar, Arwal, has preferred this writ application, through its Principal, seeking direction to the State of Bihar to produce communication, dated 14.03.2017, whereby, recommendation made by the Magadh University, Bodh Gaya, Gaya (*in short 'University'*) for approval of affiliation, with respect to the college in question, has been rejected.

2. It is the case of the petitioner-college that it has learnt about rejection order through list of colleges, purportedly disaffiliated by the State Government, which contains the name of the said college also.

3. It is being pointed out, with reference to the said list, which has been brought on record by way of Annexure-P13 to this application that the said letter, dated 14.03.2017, has not been communicated to the petitioner-college, which pertains to recommendation for affiliation made by the University through letter, dated 15.04.2013, and 12.11.2013, which is in respect of the Academic Sessions 2011-12 to 2012-13, for the subject of Science, and Academic Session 2011-12, for the subject Arts.



4. It is the plea of the petitioner that the University has recommended for approval of affiliation for the Academic Sessions 2015-16 and 2017-18 also, on which no decision has been taken by the State Government so far.

5. The petitioner in that background seeks direction the State Government to take a decision on the question of approval of affiliation, under Section 21 (2) (d) of the Bihar State Universities Act, 1976, within a reasonable period.

6. I have heard learned counsel for the petitioner, learned senior counsel representing the University and learned counsel appearing on behalf of the State of Bihar.

7. In the facts and circumstances of the case, I dispose of this application with a direction to respondent No. 2, the Principal Secretary, Education Department, Govt. of Bihar, Patna, to expedite disposal of recommendation made by the University for approval of affiliation for the Academic Sessions 2013-14 to 2015-16, within a period of two months from the date of receipt/production of a copy of this order.

8. The application stands disposed of with the observation as above.

9. If the decision of the State Government goes in favour of the petitioner-college, the consequences shall follow and if the law



permits, the students, admitted in the college, may be allowed to appear at the examination.

(Chakradhari Sharan Singh, J)

Praveen-II/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	18.09.2017
Transmission Date	N/A

