

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15209 of 2016

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1. Ayachi Mithila Mahila College at Bahera, Benipur, Darbhanga through its Secretary namely Dr. Baidyanath Choudhary son of Late Rajendra Choudhary resident of village - Anandpur Sahora, P.S. - Ashok Paper Mill, District - Darbhanga.
 2. Dr. Baidyanath Choudhary son of Late Rajendra Choudhary resident of village - Anandpur Sahora, P.S. - Ashok Paper Mill, District - Darbhanga and Secretary of Ayachi Mithila Mahila College at Bahera, Benipur, Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary, Govt. of Bihar, Patna.
2. The Principal Secretary, Education Department, Govt. of Bihar, Patna.
3. The Director, Higher Education, Govt. of Bihar, Patna.
4. Lalit Narayan Mithila University, Darbhanga through its Registrar, Kameshwar Nagar, Darbhanga.
5. The Vice Chancellor, Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga.
6. The Registrar, Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Prem Kumar Jha,
& Mr. Rajesh Kumar Jha
For the Respondent/s : Mr. Madanjeet Singh-GP-20

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 21-04-2017 Heard learned counsel for the parties.

This application has been filed by the Secretary, Ayachi Mithila Mahila College at Bahera, Benipur, Darbhanga, seeking direction to the Respondents, more particularly, Respondent Nos. 2 and 3 to take a final decision on the recommendations made by the Lalit Narayan Mithila University, Darbhanga, with regard to sanction of posts of teaching and non-teaching staff of the said College, which is



permanently affiliated to the privileges of Lalit Narayan Mithila University, Darbhanga.

It is the case of the petitioners that the University had made recommendations initially in the year 2010 and subsequently in the year 2012, but till date, no decision has been taken by the Respondents State of Bihar.

A counter affidavit has been filed on behalf of the State of Bihar, from which it appears that in the year 2012 itself, the Department had written to the University to send a clear proposal in this regard.

My attention is being drawn to Annexure R-2/5 of the counter affidavit filed on behalf of the State of Bihar to contend that the Director of the Department had requested the University to supply necessary information with respect to recommendations made for creation of posts in Ayachi Mithila Mahila College at Bahera, Benipur, Darbhanga.

I fail to understand the purpose for bringing that communication on record in the counter affidavit filed in reply to the present writ application. The Court forms an opinion that the Respondent authorities have unnecessarily delayed the matter in taking decision, within a reasonable time.

In such circumstance, the Court is constrained to direct Respondent No.2 to take a final decision on the recommendations made by the University within a period of



two weeks from today, if not already taken. If the State has to make any query from the University, it must be done within one week from today and the University will be required to respond immediately thereafter so that entire exercise is completed within a period of two weeks from today.

This disposes of the application.

(Chakradhari Sharan Singh, J)

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