

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14461 of 2017

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Akhilesh Kumar, Son of Shyam Narain Oraon, Village Mariya, P.O. + P.S.-
Rohtas, District Rohtas at Sasaram.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department,
Govt. of Bihar, Patna.
2. The Director, Higher Education, Govt. of Bihar, Patna.
3. Veer Kuwar Singh University, Ara through its Registrar.
4. The Vice- Chancellor, Veer Kuwar Singh University, Ara.
5. The Registrar, Veer Kuwar Singh University, Ara.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Manoj Priyadarshi, Mr. Sunil Kumar Singh, Advocatesw
For the State	:	Mr. A. R. PANDEY -AAG15
For the University	:	Mr. P.K.Verma, Sr. Advocate Mr. Syed Firoz Raza, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 12-10-2017

This petition has been filed in public interest and the claim made is to issue a direction/ mandamus to the respondent-University to open Post Graduate Department of Ancient History and Asian studies in the University. It is stated that no post of teachers of Ancient History and Asian Studies in History Post Graduate Department are available and therefore, the same should also be directed.

The issue involved in the matter and relief claimed for is beyond the jurisdiction of this Court in exercise of the powers under Article 226 of the Constitution of India. The question as to



what should be the course imparted to students in a University, what should be the curriculum or what faculty and courses should be imparted are purely administrative and executive decision taken by the competent authority of the Government based on various consideration, policies and schemes and writ court is not expected to enter into these areas of policy decision making, and issue any mandamus or direction as prayed for.

That being so, we are not inclined to issue mandamus, as prayed for, instead we grant liberty to the petitioner to approach the authorities of the Government or the University and it is for the Government or the University to consider the representation of the petitioner examine it in the background of the policy and enter in the area in question and take a decision in accordance with law.

With the aforesaid observations and liberty to the petitioner, the writ petition stands disposed of.

(Rajendra Menon, CJ)

spandey/-

(Anil Kumar Upadhyay, J)

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	14.10.2017
Transmission Date	

