

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1865 of 2018

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1. Shashi Shekhar, Son of Late Hardwar Singh, Resident of Mohalla- Pandriwa, Masjid Chowk, P.S. Hajipur Town, District- Vaishali.

.... Petitioner/s

Versus

1. The Hon'ble Chancellor of Universities, Bihar, Patna.
2. Bhim Rao Ambedkar Bihar University through its Registrar, Muzaffarpur.
3. The Vice Chancellor, Bhim Rao Ambedkar Bihar University, Muzaffarpur.
4. The Registrar, Bhim Rao Ambedkar Bihar University, Muzaffarpur.
5. The Governing Body through its Secretary, Awadh Bihari Singh College, Lalganj, Vaishali.
6. Alok Ranjan Singh, Secretary, Governing Body, Awadh Bihari Singh College, Lalganj, Vaishali.
7. Dr. Krishna Nandan Singh, Professor-in-charge, Awadh Bihari Singh College, Lalganj, Vaishali.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh

For the Respondent/s : Mr. Rajendra kumar Giri

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL JUDGMENT

Date: 03-07-2018

The petitioner is aggrieved by the office order issued by Bhim Rao Ambedkar Bihar University under the signature of the Registrar of the University, whereby approval of the Vice Chancellor to nominate Government Official, Legislature member, President and Secretary of the governing body of Awadh Bihari Singh College, Lalganj, Vaishali has been notified.

It is evident from the office order that the approval and nomination has been done in exercise of power under Section 60 (I) (IV) and (VI) of the Bihar State Universities Act, 1976.



It is the case of the petitioner that the nominated members, i.e. government official and legislature members should not have been nominated side by side while approving the election of the office bearers, i.e. the President and the Secretary of the governing bodies of the College. Reliance, in this regard, has been placed on Article 3(II) of the statutes regarding governing body in order to make out a case that this could be done before co-option.

The ground which has been taken is completely misconceived. The Vice Chancellor has been given power to nominate an official of the State Government and one member of the Parliament or State Legislature as member of governing body of affiliated college. The language of Section 60 of the Act is amply clear.

Accordingly, this writ application is dismissed.

(Chakradhari Sharan Singh, J.)

Rakhi

AFR/NAFR	
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