

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9801 of 2018

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Ambedkar Institute of Higher Education, Chhitnawa, Danapur, Patna through its Director, Kaushal Kumar Giri @ Kaushal Kumar Son of Dr. Harish Chandra Giri Resident of 21 B, Patliputra, P.O. + P.S. - Patliputra, District - Patna.

... .. Petitioner/s

Versus

1. Magadh University, Bodh Gaya through its Registrar.
2. The Vice Chancellor, Magadh University, Bodh Gaya.
3. The Registrar, Magadh University, Bodh Gaya.
4. The State of Bihar through the Principal Secretry, Department of Health, Government of Bihar, New Secretariat, Patna.
5. The Principal Secretary, Department of Health, Government of Bihar, New Secretariat, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Arun Kumar
For the Respondent/s	:	Mr. Birju Prasad- Gp13
For the M.U.	:	Mr. Ritesh Kumar
For the Patliputra University	:	Mr. P. K. Verma, Sr. Advocate

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

5 09-07-2018 This application has been filed seeking direction to the respondent Magadh University, Bodh Gaya to grant the petitioner-institute permanent affiliation for conducting Degree course in Medical Lab. Technician (MLT) & Degree in Physiotherapy Course for which necessary permission/no objection certificate, according to petitioner, has already been issued by the Health Department, Government of Bihar on 27.03.2015.

2. The Magadh University, Bodh Gaya has since been bifurcated with the creation of new Patliputra University, Bodh



Gaya with effect from 18.03.2018. The place where the institution, in question, is located, falls within the territorial jurisdiction of Patliputra University, Patna. The application for grant of affiliation was filed in 2015, as narrated in the writ application.

3. In the facts and circumstances of the case, I dispose of the writ application with a direction to the Vice Chancellor, Magadh University, Bodh Gaya that all records relating to the petitioner's application seeking grant of affiliation, along with the inspection fee deposited by the petitioner for grant of affiliation be transferred to Patliputra University, Patna within two weeks from today.

4. Once the records are received by Patliputra University, Patna, the University shall consider the question of grant of affiliation strictly, in accordance with law. If University finds the case of the petitioner for grant of affiliation to be genuine, the University and the State of Bihar shall proceed in accordance with time frame prescribed by this Court in paragraph 11 of decision dated 26.04.2018 in CWJC No. 4660 of 2017 and another analogues case (*Dr. Ram Pramod Thakur Vs. The State of Bihar and others*). The State of Bihar shall be obliged to proceed, in accordance with the time frame fixed in



the said paragraph of the order, if the University recommends the petitioner’s case for grant of affiliation to the State Government.

5. This application stands disposed of with the aforementioned observations and directions.

(Chakradhari Sharan Singh, J)

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