

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11819 of 2014

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Ashok Kumar Singh son of Ramchandra Singh Resident of village - Lodipur Milk, P.S. Mahnar, Distt. - Vaishali, At present posted as a Lecturer in Purvottar Railway Mahavidyalaya, Sonepur, Saran

... .. Petitioner/s

Versus

1. The Registrar, Jay Prakash University, Chhapra, Saran
2. The Vice Chancellor, Jay Prakash University, Chhapra, Saran
3. The Principal Purvottar Railway Mahavidyalaya Sonepur Saran
4. The Managing Committee Purvottar Railway Mahavidyalaya Sonepur, Saran through its Secretary
5. The State of Bihar through the Principal Secretary Department of Higher Education Govt. of Bihar, Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Mukund Mohan Jha, Advocate
For the Respondent/s : Mr. Sarvesh Kumar Singh GA-7

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL JUDGMENT

Date : 18-08-2018

Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State.

2. Learned counsel for the petitioner submits that the post on which the petitioner is working is Lecturer (Physics) in Purvottar Railway Mahavidyalaya, Sonepur which was granted permission by the State Government under the *Vitt Rahit Shiksha Niti*. The State Government use to release funds based on the performance of the College. The petitioner is not getting his due share although he is regularly working.

3. In the peculiar facts of the case, the Court is not in a position to issue any positive direction in favour of the petitioner.



However, if the college is affiliated to the University it is the obligation of the University to see that the college affiliated to it, works in accordance with the constitutional mandate and if it is found that the college is violating the mandate of the Constitution contained in Articles 21 and 23, i.e., if the college is found practicing *Begari* then the University may take step for preventing such practice of *Begari* and, if necessary, take appropriate step against the college affiliated to the University even by taking recourse to withdrawal of affiliation after following due process of law.

4. With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

spandey/-

AFR/NAFR	NAFR
CAV DATE	NA
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