

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3418 of 2013

In

Civil Writ Jurisdiction Case No. 16154 of 2012

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Vimal Bibhuti College Of Education, At D.P.S., Bhagalpur, Campus, Deckshapuram, P.O & Police Station Sabour Bhagalpur, Through Its Manager, Mr. Rajesh Kumar S/O Sri Man Mohan Kumar Sinha Presently Residing At D.P.S. Bhagalpur Campus, Near D.P.S. Temple, P.O & Police Station- Sabour, District- Bhagalpur.

.... Petitioner

Versus

1. The State Of Bihar Through Sri Ashok Kumar Sinha, The Chief Secretary, Government Of Bihar, Patna.
2. Mr. Amarjit Sinha, The Principal Secretary, Human Resources Development, Government Of Bihar, Patna.
3. Mr. Sita Ram Singh, The Director, Higher Education, Human Resources Development, Government Of Bihar, Patna.
4. Mr. Sunil Kumar Singh, The Director, (Administration) - Cum- Joint Secretary, Higher Education, Human Resources Development, Government Of Bihar, Patna
5. Mr. Dr. Nilambuj Kishore Verma, The Vice Chancellor, Tilka Manjhi Bhagalpur University, Bhagalpur, Bihar.
6. Mr. Dr. Tahir Hussain Warsi, The Registrar, Tilka Manjhi Bhagalpur University, Bhagalpur, Bihar.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kuamr, Advocate
For the University : Mr. Ashhar Mustafa, Advocate
For the State : Mr. Raghwendra Kumar, S.C. 22

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

23. 25-09-2018

Yesterday a supplementary show cause on behalf of Opposite Party Nos. 5 & 6 was filed.

Learned counsel representing the Opposite Party Nos. 5 & 6 submits that the College in question is lacking on certain infrastructural facilities as also in the matter of having a permanent Principal and in course of the inspection held by the Committee constituted for the



purpose of taking note of the compliance of parameters by this college it has been found that out of fifteen faculty members only eight faculty members were present as per the attendant sheet.

Learned counsel submits that the question of grant of permanent affiliation has to be decided in the light of UGC (Affiliation of Colleges by the Universities) (1st Amendment) Regulation, 2012 which provides accreditation by NAAC or any other statutory accreditation agency by State/Central Government as an essential criteria for permanent affiliation.

Learned counsel further submits that the letter dated 30.05.2015 issued by the NCTE also talks of fulfillment of certain conditions for the purpose of granting fresh recognition to the petitioner's college.

In the aforesaid facts and circumstances, it is stated that the opposite parties have not violated the order of the learned writ court, therefore the contempt application may be dropped at this stage.

Learned counsel for the petitioner submits that for the present the petitioner's College has been granted affiliation for the next three years. However, the University is pointing out the infirmities in a piece-meal manner and not in one go which is creating difficulty for the College in getting permanent affiliation.



This court finds force in the submission of learned counsel representing the State. Even in terms of the order of the learned writ court the petitioner's institution is equally obliged to rectify the short-comings which may be pointed out by the University.

In the given facts and circumstances, this contempt application cannot proceed. However, the petitioner will be at liberty to fulfill the conditions prescribed under the UGC guidelines for the purpose of permanent affiliation whereupon the University shall consider the same in terms of the judgment of the learned writ court in accordance with law.

This contempt application is disposed off, accordingly.

(Rajeev Ranjan Prasad, J)

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