

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.13377 of 2017

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Sashi Bhushan Kumar Son of Dokai Singh, resident of Ward No. 13 Sidhap
(Parsahi) Chiknaulwa, P.S.-Ladaniya, District-Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar Through the Principal Secretary, Education Department,
Bihar, Patna
2. The Lalit Narayan Mithila University through the Registrar, Lalit Narayan
Mithila University Kameshwar Nagar, Darbhanga.
3. The Vice Chancellor, Lalit Narayan Mithila University, Darbhanga.
4. The Registrar Lalit Narayan Mithila University Darbhanga.
5. Laxmeshwar Ray Son of not Known Mla Laukha Madhubani P.S. Laukha,
District Madhubani.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav, Advocate
For the Respondent/s : Mr. Madanjit Kumar, GP-20
For the L.N.M.U. : Mr. Md. Nadim Seraj, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL JUDGMENT
Date: 20-03-2018

Heard learned counsel for the petitioner and respondents.

Learned counsel for the petitioner submits that Mr. Kapil
Dev Kamat, the Local M.L.A. has been nominated in the Governing
Body of the College, who is also a teacher in the College, in question,
and as such there is clash of interest and his continuance in the
Governing Body of the College may adversely affect the interest of
the College. However, he has not been able to point out any legal bar
in the nomination of local MLA in the Governing Body of the
College.

While addressing the issue of adverse interest of College,



he agrees to approach the Hon’ble Chancellor of the University, who has necessary power under the Bihar Universities Act to nullify the decision of the University after calling for the record and after hearing the parties.

Learned counsel for the petitioner submitted that the writ application may be disposed of with liberty to the petitioner to file appeal under Section 9 (4) of the Bihar Universities Act, 1976.

In view of the above, liberty is granted to the petitioner to approach the Hon’ble Chancellor and invoke the jurisdiction under Section 9(4) of the Universities Act.

With the aforesaid, the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

Uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	24.03.2018
Transmission Date	

