

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10174 of 2018

Ram Sharan Singh Evening College Delha, Police Station & District-Gaya
through its Principal, Shailendra Kumar.

... .. Petitioner/s

Versus

1. The Magadh University, Bodhgaya through its Vice Chancellor, PO & Police Station-Bodhgaya, District-Gaya.
2. The Registrar, Magadh University, Bodhgaya, PO & Police Station Bodhgaya, District-Gaya.
3. The Inspector of Colleges (Science), Magadh University, Bodhgaya, PO & Police Station- Bodhgaya, District-Gaya.
4. The Inspector of Colleges (Arts & Commerce), Magadh University, Bodhgaya, PO & Police Station-Bodhgaya, District-Gaya.
5. The Controller of Examinations, Magadh University, Bodhgaya, PO & Police Station-Bodhgaya, District-Gaya.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Gyanad Roy Mr. Shailendra Kumar Singh
For the Magadh Univ.	:	Mr. Shivendra Kishore, Sr. Advocate Mr. Arbind Nath Pandey
For the State	:	Mr. Syed Firoz Raza

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 14-08-2018 The limited grievance which the petitioner has, in the present writ application, is that the Magadh University, Bodh Gaya, is not proceeding on application filed for grant of affiliation afresh in favour of Ram Sharan Singh Evening College, Delha, Gaya.

A counter affidavit has been filed on behalf of the University. Based on pleadings on record, it appears that it is an admitted fact that earlier the University had granted affiliation in favour of the College and sought for approval of the State



Government, as contemplated under Section 21(2)(d) of the Bihar State Universities Act, 1976, which was rejected by the State Government on 13.01.2014, on the ground that the College did not fulfill the parameters fixed by the Governor's Secretariat as contained in Letter No. 1098 dated 19.04.1986. It appears that the College has applied afresh for grant of affiliation, which matter is pending with the University.

This Court had occasion to consider the matter relating to pendency of application for grant of affiliation before the University and the State Government in case of ***Dr. Ram Pramod Thakur and another Vs. The State of Bihar and Ors.*** (CWJC No. 4660 of 2017) and the decision rendered on 26.04.2018 in the said case of ***Dr. Ram Pramod Thakur*** (supra). This Court has prescribed time schedule for consideration of an application for grant of affiliation from the stage of submission of an application under Article 2(d) of the Statutes governing affiliation of Colleges. The said time frame reads as under:-

“Consideration of application by the University

<i>Submission of Application Form</i>	<i>On or before 15th September</i>
<i>Constitution of Inspection Team</i>	<i>On or before 25th September</i>
<i>Inspection Teach Report</i>	<i>On or before 8th October</i>
<i>Affiliation Committee</i>	



<i>Meeting</i>	<i>On or before 15th October</i>
<i>Academic Council</i>	<i>On or before 20th October</i>
<i>Syndicate</i>	<i>On or before 30th October</i>
<i>Senate</i>	<i>On or before 15th November</i>
<i>Final report to the State Govt.</i>	<i>On or before 15th January</i>

Grant of approval of proposal for affiliation as contemplated under first proviso to section 21 (2)(d) of the Act. ”

<i>Decision of the State Government under first proviso to Section 21(2) (d) of the Bihar State Universities Act</i>	<i>On or before 15th February</i>
<i>In case of deficiency noticed by the State Government, notice to be given to the University and the concerned college</i>	<i>On or before 15th February</i>
<i>Removal of deficiency by the college</i>	<i>On or before 15th March</i>
<i>Fresh proposal by the University after removal of deficiency</i>	<i>On or before 16th March</i>
<i>Fresh decision of the State Government on receipt of proposal, if any, under Section 21(2)(d) of the Act</i>	<i>On or before 16th April</i>

In such view of the matter, this application is being disposed of with a direction to the respondent-University to ensure that the application of the petitioner is dealt with,



accordingly.

(Chakradhari Sharan Singh, J)

Ashish/-

U			
---	--	--	--

