

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.16111 of 2017

Kedar Nath Singh College, Itarhi Road, Buxar through its Secretary Ramawtar Singh son of Kedar Nath Singh resident of Mishravaliya, Mitralok Colony, Pandey Patti, Buxar.

... .. Petitioner/s

Versus

1. Veer Kuwar Singh University, Ara through its Registrar.
2. The Vice Chancellor, Veer Kuwar Singh University, Ara.
3. The Registrar, Veer Kuwar Singh University, Ara.
4. The Inspector of Colleges (Arts and Commerce), Veer Kuwar Singh University, Ara.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 17018 of 2017

Mahathin Maa Mahavidyalaya, Bihia, Bhojpur through its Secretary Shatrughan Sharma son of Baijnath Sharma Raja Bazar, Bihia, P.S. + P.O. - Bihia, District - Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Govt. of Bihar, Patna.
2. The Director, Higher Education, Govt. of Bihar, Patna.
3. Veer Kuwar Singh University, Arrah through its Registrar.
4. The Vice Chancellor, Veer Kuwar Singh University, Arrah.
5. The Registrar, Veer Kuwar Singh University, Arrah.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 17277 of 2017

Mahayogi Pilot Baba Mahila College, Pilotnagar, Bishunpura Baraon, Rohtas through its Principal Rajdeo Choudhary Son of Lal Bahadur Choudhary, Village-Kusumtola, P.O.-Baraon, P.S.-Nokha, District-Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Govt. of Bihar, Patna.
2. The Director, Higher Education, Govt. of Bihar, Patna.
3. Veer Kuwar Singh University, Arrah Through Its Registrar.
4. The Vice Chancellor, Veer Kuwar Singh University, Arrah.



5. The Registrar, Veer Kuwar Singh University, Arrah.
6. The Inspector of Colleges (Arts and Commerce) Veer Kuwar Singh University, Arrah.

... .. Respondent/s

Appearance :

(In Civil Writ Jurisdiction Case No. 16111 of 2017)

For the Petitioner/s : Mr. Sunil Kumar Singh

For the Respondent/s : Mr. Prabhat Kumar Verma

(In Civil Writ Jurisdiction Case No. 17018 of 2017)

For the Petitioner/s : Mr. Sunil Kumar Singh

For the Respondent/s : Mr. ASHUTOSH RANJAN PANDEY - AAG-15

(In Civil Writ Jurisdiction Case No. 17277 of 2017)

For the Petitioner/s : Mr. Sunil Kumar Singh

For the Respondent/s : Mr. PRABHAKAR JHA -GP27

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

4 12-01-2018 A supplementary counter affidavit has been filed on behalf of the Veer Kuwar Singh University, Ara.

2. The three Colleges have approached this Court by filing the present batch of writ applications with a common grievance that the affiliation earlier granted in favour of these Colleges have not been extended for the Session 2016-19. It is their case that earlier these Colleges were granted affiliation by the University but for the Session up to 2016. This does not appear to be in dispute that they have approached the University for grant of permanent affiliation.

3. When the matters were heard on 20.12.2017, this Court while adjourning the matters, had observed that in the meanwhile, the University should take a final decision on the question of grant of affiliation to these Colleges.

4. A supplementary counter affidavit has been filed on behalf of the University in CWJC No. 17018 of 2017. Learned counsel



appearing on behalf of the University has submitted that since the issues are common, this counter affidavit may be treated to be the counter affidavit in other two cases also.

5. It has been stated in the supplementary counter affidavit that the matter of extension of affiliation for the Session 2016-19 and 2017-20 of the Colleges were placed in the meeting of the Affiliation Committee held on 22.12.2017. It has further been stated that in course of consideration by the Affiliation Committee, it came to light that earlier Three-Man-Inspection Committee has been constituted by the University in respect of extension of affiliation of the Colleges. The Committee was, accordingly, requested to submit the inspection report in the first week of January, 2018. It has further been stated that because of sudden demise in the family of one of the Members of the Committee, the Inspection reports could not be submitted in respect of these institutions. Accordingly, the University has extended affiliation of these institutions provisionally subject to the report of the Inspection Committee through communication dated 09.01.2018 issued to the Principals of the Colleges.

6. Learned counsel appearing on behalf of the petitioners appears to be right in his submission that unless the decision of the University to grant affiliation to the College is sent to the State Government of Bihar for approval under Section 21(2) (d) of the Bihar Universities Act, 1976, such affiliation shall remain



meaningless.

7. In the facts and circumstances of the case and considering the nature of controversy involved, I dispose of these writ applications with a direction to the University to communicate to the State Government of Bihar the decision in respect of grant of affiliation in favour of these Colleges within a period of one week from the date of receipt/production of a copy of this order for the purpose of seeking approval of affiliation under Section 21(2) (d) of the Act. The Respondent Nos. 1 and 2 in CWJC No. 17277 of 2017 and CWJC No. 17018 of 2017 are directed to ensure that a decision under Section 21(2) (d) of the Act is taken within a period of one month from the date of receipt of the communication from the University in respect of grant of affiliation.

8. These applications stand disposed of accordingly with the aforesaid directions and observations.

(Chakradhari Sharan Singh, J)

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