

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10532 of 2018

=====

Sir Ganesh Dutt Memorial College, West Bailey Road, Patna through its Principal, namely Sudarshan Sharma, S/o Late Mahendra Sharma, Permanent resident of village – Sadayeah, Anchal Dulhin Bazar, District – Patna, presently resident at Bank Colony, Lane No. 2, Gola Road, P.S. - Danapur, District - Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. The Director, Higher Education, Govt. of Bihar, Patna.
3. The Vice Chancellor, Magadh University, Bodh Gaya.
4. The Registrar, Magadh University, Bodh Gaya

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Singh
For the Respondent/s : Mr. Madanjeet Kumar, GP-20

=====

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 07-09-2018 This is not in dispute that the petitioner, Sir Ganesh Dutt Memorial College, Patna, has been granted affiliation by the University, which has been approved by the State Government for teaching upto B.A./B.Sc. Pass Course. The University had though subsequently recommended for grant of affiliation upto B.A./B.Sc. 'Honours' level also, the State Government did not approve affiliation upto Hons. level. Subsequently, during the pendency of this writ application, the State Government has granted approval of affiliation in favour of the college upto Hons. level, but from Session 2018-19.

This writ application has been filed seeking direction to



the respondent to accept examination fee of all the students of Session 2017-18 of Part-III B.A. (Hons) and B.Sc. (Hons). The relief, which the petitioner is seeking, cannot be granted for two reasons. The college cannot be said to be having affiliation upto B.A./B.Sc. 'Honours' level prior to approval of affiliation by the State Government of Bihar for the Session 2018-19 and subsequent. Secondly, since the college cannot be said to be having affiliation, in the absence of approval by the State Government for previous sessions, the college should not have admitted students in view of the provisions under Bihar State Universities Act and Statutes framed thereunder as discussed in case of *Dr. Ram Pramod Thakur & another vs. the State of Bihar* (C.W.J.C. No. 4660 of 2017) dated 24.04.2018.

For the reasons noted above, this writ application stands dismissed.

(Chakradhari Sharan Singh, J)

Pawan/Ragini

U			
---	--	--	--

