

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13029 of 2019

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Baba Ganinath Mahavidyalaya Dehri-on- Sone, Jamuhar, Rohtas through its Principal Dr. Rameshwar Prasad aged about 63 years (Male), Son of Late Saryu Prasad Sah, Mohalla- New Sidhauri, Near ESI Hospital, Durga Mandir, Dalmianagar, P.O. and P.S.- Dalmianagar, Rohtas.

... .. Petitioner/s

Versus

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

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sunil Kumar Singh, Adv.
For the Respondent/s	:	Mr. Arvind Kumar, AC to GP-23
For the University	:	Mr. Rajesh Prasad Choudhary, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 01-07-2019 Heard learned counsel for the petitioners and the

counsel appearing on behalf of the State.

Petitioners are aggrieved by the decision of the respondents rejecting the application for grant of affiliation to the Institution.

Vide order dated 30.04.2019 the Deputy Secretary, Education Department, Government of Bihar has passed order rejecting the application of the petitioner for grant of permanent affiliation. The application of the petitioners were rejected by the respondent Authority on the ground that there was no recommendation of the Senate for grant of permanent affiliation



to the institutions. This decision is manifest error, notwithstanding favorable recommendation of the University including the decision of the affiliation committee Syndicate as well as Senate in favour of the petitioner, without application of mind, the respondents have rejected the application for grant of affiliation on the ground that the recommendation is not supported by the decision of the Senate.

Learned counsel for the petitioner submits that the decision is totally without application of mind and the recommendation of the Syndicate and the Senate for grant of affiliation was available with the respondent Authority before taking decision dated 29.04.2019 communicated on 30.04.2019.

Considering the aforesaid, the order dated 30.04.2019 contained in Annexure-1 is quashed and the matter is remitted back to the Education Department to take fresh decision in the light of the recommendation of the University including affiliation committee Syndicate and Senate at the earliest preferably within a maximum period of 30 days from the date of receipt/production of a copy of this order.

With the aforesaid, the writ petition stands allowed and disposed of.

(Anil Kumar Upadhyay, J)

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