

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.12743 of 2019**

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Guro Binda College through its In-Charge Principal namely Ashwini Kumar, aged about 33 years, (Male), Son of Raj Kumar Prasad, Resident of Budhaul, Nawada, Gondapur, P.S.- Nawada, District- Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Government of Bihar, Patna.
2. The Principal Secretary, Department of Education, Government of Bihar, Patna.
3. The Director, Higher Education, Government of Bihar, Patna.
4. The Chancellor, Universities of Bihar, Patna.
5. The Vice Chancellor, Magadh University, Bodh Gaya.
6. The Registrar, Magadh University, Bodhgaya.

... .. Respondent/s

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**Appearance :**

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| For the Petitioner/s | : | Mr. P. K. Shahi, Sr. Advocate        |
|                      |   | Mr. Satyam Shivam Sundaram, Advocate |
| For the Respondent/s | : | Mr. Ashutosh Ranjan Pandey (AAG-15)  |
| For the University   | : | Mr. Arvind Nath Pandey, Advocate     |

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY**  
**ORAL ORDER**

2      26-06-2019                      Heard learned counsel for the petitioner, State and the University.

2. The grievance of the petitioner in the present writ application is that the case for grant of permanent affiliation was rejected by the State Government on the ground that it was belatedly recommended by the University. According to the respondent, the last date for submission of recommendation from the University was 15.01.2019, but the recommendation reached the State Government on 14.04.2019.



3. Mr. P. K. Shahi, learned senior counsel for the petitioner submits that it has been a practice to grant affiliation piece meal and this temporary affiliation is a big business practiced in the State irrespective the institution fulfills the condition for grant of permanent affiliation. He submits that the respondents instead of granting permanent affiliation used to grant affiliation on temporary basis for one or two academic Sessions, such practice should be deprecated as it promote corruption in the decision making process.

4. Mr. Shahi submits hat the process of grant of permanent affiliation cannot be rejected on the ground that the recommendation reached after the cut-of-date. The cut-of-date is relatable to particular academic Session and it has nothing to do with grant of permanent affiliation.

5. In the matter of permanent affiliation of the institution in question, the State Government is required to take decision for grant permanent affiliation objectively.

6. Considering the fact that there is recommendation of the Magadh University for grant of permanent affiliation, though belatedly, the respondents were required to take appropriate decision with regard to grant of permanent affiliation notwithstanding the fact that in a particular Session



the recommendation had reached the State Government after cut-of-date, as the permanent affiliation has nothing to do with the particular academic Session.

7. Considering the aforesaid, Annexure-3 is quashed. The State respondents are hereby directed to take appropriate decision afresh for grant of permanent affiliation for subsequent academic Session objectively within the parameters prescribed by the respondents themselves within a maximum period of sixty days from the date of receipt/production of a copy of this order.

8. With the aforesaid, the writ application is allowed and disposed of.

**(Anil Kumar Upadhyay, J)**

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