

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13455 of 2019

Laloo Prasad Yadav College Akhourigola, Rohtas through its Principal Lalbabu Singh, aged about 58 years (Male), Son of Suchit Singh, Dayalganj, Resident of Village and P.S.- Rajapur, District- Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Deputy Secretary, Education Department, Government 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

Appearance :

For the Petitioner/s	:	Mr.Sunil Kumar Singh
For the Respondent/s	:	Mr.Umesh Narayan Dubey, AC to GP27
For the University	:	Mr. Arvind Nath Pandey

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 04-07-2019 Heard learned counsel for the petitioner and the counsel appearing on behalf of the State as well as University.

Petitioner is 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 petitioner was 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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