

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15062 of 2019

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Sheopujan Shastri Samata Mahavidyalaya Dinara, Rohtas Through Principal
Dr. Kamla Kant Singh, aged about 53 Years, (Male), Son of- Late Sheopujan
Singh, At- Gopalpur, P.O.- Kund, P.S.- Dinara, District- Rohtas.

... .. Petitioner/s

Versus

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

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sunil Kumar Singh
For the Respondent/s : Mr.Madanjeet Kumar (Gp20)

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 25-07-2019 Heard learned counsel for the petitioner and the
counsel appearing on behalf of the respondents.

Grievance of the petitioner in the present writ
application is indecisiveness on the part of the respondent State
in the matter of grant of permanent affiliation.

Learned counsel for the petitioner would submit that
on 2.2.2009, the Registrar of the University sent
recommendation for grant of affiliation to the institution. Again
reminder was sent on 19.9.2009 and the petitioner has also
written letter to the University as well as Director, Higher



Education for grant of permanent affiliation.

Learned counsel submits that despite recommendation made by the University no decision was taken as yet and on account of deletion of name of the institution from the Website of the University as affiliated college, the institution is suffering immensely. The recommendation was sent to the State Government on 2.2.2009 and its reminder on 19.9.2009 then inaction on the part of the respondents in the matter of taking final decision is not justified. There should be some limit in taking decision.

Since the power vested with the State Government to take final decision under section 22(1)(d) of the Bihar University Act, the State cannot keep the matter pending for decade as in the instant case more than 10 years have passed, no decision was taken by the respondents.

Under the aforesaid circumstances, the Court directs the Additional Chief Secretary-cum-Principle Secretary, Education Department to take appropriate decision with regard to claim of the petitioner for grant of permanent affiliation in the light of Annexures-2 and 3 the recommendation of the University and its reminder. In case, no decision is taken by the State within a period of three weeks from today, the



recommendation of the University dated 2.2.2009 shall be deemed to have been approved by the State with all consequential benefits.

With the aforesaid, the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

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