

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18183 of 2019

Sarvodaya College Govind Sah Bauka Sah Nagar, Tinghariya, Kursela Katihar, through its Secretary Binod Raj, (male), aged about 53 years, s/o Sri Sadanand Jha, at present resident of House No- 144, Jaitpur Extension, Badalpur, Police Station- Jaitpur, New Delhi.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar.
2. The Principal Secretary Education Department, Govt. of Bihar, Patna.
3. The Director (Higher Education) Education Department, Govt. of Bihar, Patna.
4. The Deputy Secretary Education Department, Govt. of Bihar, Patna.
5. The Deputy Director Education Department, Govt. of Bihar, Patna.
6. The Bhupendra Narayan Mandal University Madhepura Through its Registrar, Lalu Nagar Madhepura.
7. The Vice Chancellor Bhupendra Narayan Mandal University, Lalu Nagar, Madhepura.
8. The Purnea University Through its Registrar, Purnea University, Purnea.
9. The Vice Chancellor Purnea University, Purnea.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Satish Chandra Jha 3, Advocate Mr. Mukesh Kumar, Advocate Mr. Shambhoo Kumar Suman, Advocate
For the State	:	Mr.Madanjeet Kumar (GP-20)
For the Purnea University:		Mr. Rakesh Kumar Samrendra, Advocate Mr. Niranjan Kumar, Advocate
For BNM University	:	Mr. Ritesh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 04-09-2019 Heard learned counsel for the petitioner and the respondents.

Prima facie, the Court is of the view that the order passed by the respondent-Education Department vide Annexure-1 is without application of mind. The decision was taken in hot



haste. There are reasons assigned for recommendation with condition by the University.

Mr. Satish Chandra Jha, learned counsel for the petitioner would submit that the condition as to deposit of Rs. 4/- lacs as reserve fund of the University has been complied with. The other requirements as to Building, Library and Laboratory have also been taken care by the petitioner-institution but without any enquiry as to fulfillment of those conditions, the order rejecting affiliation was passed.

Under the aforesaid circumstances, the Court directs the Additional Chief Secretary-cum- Principal Secretary, Education Department to cause a fresh inspection either through his agency or through the agency of the University within a period of one month from today to verify the fulfillment of the conditions of recommendation and on that basis the Principal Secretary is required to take fresh decision. Annexure-1 shall not come in the way of the respondents-State in taking fresh decision. Necessary decision in this regard after fresh inspection must be taken by the respondents within a maximum period of three months from the date of receipt/production of a copy of this order.

So far as the other reliefs are concerned, the petitioner



may approach the concerned University which shall take care of the interest of the students and pass appropriate order in terms of Annexure-21.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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