

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6069 of 2020

Mahayogi Pilot Baba Mahila College Pilotnagar, Bishunpura Baraon, Rohtas through its Principal Rajdeo Choudhary aged about 51 years (M), Son of Lal Bahadur Choudhary, resident of Village- Kusum tola, Barawan, P.O. Baraon, P.S.- Nokha, District- Rohtas, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Govt. of Bihar, Patna.
2. The Director, Higher Education, Govt. of Bihar, Patna.
3. Veer Kuwar Singh University, Arrah through its Registrar.
4. The Vice Chancellor, Veer Kuwar Singh University, Arrah.
5. The Registrar, Veer Kuwar Singh University, Arrah.
6. The Inspector of Colleges (Arts and Commerce) Veer Kuwar Singh University, Arrah.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Ms. Shama Sinha, Adv.
For the Respondent/s	:	Mr. Ram Vinay Pd. Singh, AC to GA-12
For the University	:	Ms. Nutan Sahay, Adv.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 17-04-2023 Heard the parties.

2. The petitioner has filed the present writ application for a direction to the Respondents-State in Education Department to grant affiliation to the petitioner's college which has been rejected by the impugned order dated 16.09.2019 (Annexure-1) on the ground that the College is having the land on lease for 50 years and not a free hold land.

3. Learned counsel for the petitioner submits that this issue has already been decided by a Co-ordinate Bench of this Court *vide* order dated 03.03.2021 passed in CWJC No.



20405/2019 as well as in CWJC No. 3119/2019 order dated 19.07.2019 holding that the college which has applied for grant of affiliation having a lease of period of 30 years prior to 25.10.2019 shall be eligible for grant of affiliation.

4. Learned counsel for the State does not dispute the submission that the issue has already been decided by this Court in CWJC No. 20405/2019 as well as in CWJC No. 3119/2019 as relied upon by the petitioner.

5. In the result, this writ application is allowed. The impugned order dated 16.09.2019 (Annexure-1) is quashed and the Director and/or Competent authority is directed to take a decision for grant of affiliation of the petitioner's college in the light of orders passed by this Court in CWJC No. 20405/2019 as well as in CWJC No. 3119/2019 within a period of one month from the date of receipt/production of a copy of this order.

(Anil Kumar Sinha, J)

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