

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6160 of 2023

Siddharth Institute of Management, 1st Floor, Hotel Five Diamond Complex, Frazer Road, Patna through its Director Diljeet Khanna, Aged about 54 years, Gender Male, Son of Late Shiva Prasad Khanna, Resident of M-3/8, Road No. 11, Rajendra Nagar, P.S. Kadamkuan, District Patna.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Human Resources Development Department, Government of Bihar, Vikas Bhawan, Bailey Road, Patna.
2. The Principal Secretary, Human Resources Development Department, Government of Bihar, Vikas Bhawan, Bailey Road, Patna.
3. The Vice-Chancellor, Magadh University, Bodhgaya, District Gaya.
4. The Registrar, Magadh University, Bodhgaya, District Gaya.
5. Dean, Magadh University, Bodhgaya, District Gaya.
6. The Finance Officer, Magadh University, Bodhgaya, District Gaya.
7. The Inspector of Colleges, Magadh University, Bodhgaya, District Gaya.

... .. Respondents

Appearance :

For the Petitioner/s : Mr. Alok Kumar, Advocate
For the Respondent/s : Mr. Nishant Kumar Jha, AC to SC- 28

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 22-06-2023 Heard learned counsel for the petitioner and learned counsel for the State.

No one appears for the Magadh University.

This writ application has been filed for issuance of a writ in the nature of Mandamus directing the respondent Magadh University to refund the security deposit of Rs.5,50,000/- with interest thereon.

Learned counsel for the petitioner submits that the petitioner is an educational institution and for purpose of



providing technical education, the petitioner applied for grant of affiliation from the Magadh University, Bodhgaya. As required, the institution deposited a sum of Rs.5,50,000/- vide Letter No. 418/GIIB dated 04.09.2012 as security money against the grant of affiliation.

It is stated that during pendency of the application, the Magadh University was bifurcated and a new university, namely, the Patliputra University, Patna was established and now the Institute/College would fall within the jurisdiction of the Patliputra University and hence the petitioner discontinued the affiliation with the Magadh University in the year 2018. After discontinuation of affiliation with the Magadh University, the petitioner requested for refund of Rs.5,50,000/- deposited as security. According to the petitioner, this is a refundable amount.

Learned counsel submits that the petitioner has made several representations and even sent notices through it's Advocate vide Annexures '3' and '4' respectively to the writ application but no heed has been paid to the request of the petitioner.

Learned counsel for the State is present, however, in absence of learned counsel for the Magadh University, this Court deems it just and proper to direct the Vice-Chancellor,



Magadh University (Respondent No. 3) and the Registrar, Magadh University, Bodhgaya (Respondent No. 4) to look into the request of the petitioner as contained in it's representations which are enclosed with the writ application and, in case, it is found that the security money deposited by the petitioner is a refundable amount, the said authorities shall take an immediate decision in respect thereof and the admitted amount shall be made available to the petitioner within a period of two months from today.

In case, the above respondents have any other view, they will pass a reasoned order which will be communicated to the petitioner within the same period.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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