

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16457 of 2015

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Ran Vijay Yadav, Son of Late Panchlal Yadav, resident of Village - Rasalpur,
P.O. + P.S. - Naugachia, District - Bhagalpur.

... .. Petitioner/s

Versus

1. The Chancellor of University of Bihar, Raj Bhawan, Patna.
2. The State of Bihar through the Principal Secretary, Education, Department,
Bihar, Patna.
3. Tilka Manjhi Bhagalpur University, Bhagalpur through its Registrar.
4. Vice Chancellor, Tilka Manjhi Bhagalpur University, Bhagalpur.
5. Registrar, Tilka Manjhi Bhagalpur University, Bhagalpur.
6. Governing Body, B.L.S.C. College, Naugachia, Bhagalpur through its
Secretary.
7. Secretary, B.L.S.C. College, Naugachia, Bhagalpur.
8. Principal, B.L.S.C. College, Naugachia, Bhagalpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Abhinav Srivastava, Advocate
For the State	:	Mr. Narendra Kumar, AC to GP 20
For the Chancellor	:	Mr. Rana Vikram Singh, Advocate

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**CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH
SHARMA**

ORAL JUDGMENT

Date : 24-02-2023

Heard the parties.

2. The petitioner by way of this writ petition has prayed
as under:

*“(i) Issuance of a direction, order or writ,
including writ in the nature of mandamus*



commanding the concerned respondent authorities under the Tilka Manjhi Bhagalpur University, Bhagalpur (hereinafter referred to as “the University”) and B.L.S.C. College, Naugachia, Bhagalpur (hereinafter referred to as “the College”) to take necessary steps towards checking misappropriation and embezzlement of the funds of the College as well as the grants-in-aid made available by the State Government in its Department of Education for the purposes of making payment of salary to the teaching as well as non-teaching employees working at the College, in view of the reports dated 28/11/2013 (Annexure-16) and 31/07/2014 (Annexure-19) submitted by the enquiry committees constituted by the University pursuant to the directions having been issued in the said respect by the concerned authorities under the Governor's Secretariat, Bihar, Patna:

(ii) Issuance of a direction, order or writ, including writ in the nature of mandamus commanding the concerned respondent authorities under the College to make payment of salary to the petitioner and other similarly situated regularly and legally appointed teachers working at the College out of the grants-in-aid made available by the State Government strictly in accordance with law on the basis of the entitlement of such individual employees;

(iii) Issuance of a direction, order or writ, including writ in the nature of mandamus commanding the concerned respondent authorities to issue an FIR against the responsible persons who have been involved in misuse and misappropriation of the internal funds of the College as well as the grants-in-aid made available by the State Government towards making payment of salary to the teaching as well as non-teaching employees working at the College in accordance with law;

(iv) Any other relief/reliefs that the petitioner may be found to be entitled to in the facts and circumstances of the present case.”



3. Admittedly, the petitioner is neither a member of the Managing Committee or the Governing Body of the college and is also admittedly not working on today as an Assistant Professor in the college. He has already been removed from the said post. It is stated that he had filed a complaint against the management and affairs of the college to the University, who had conducted an enquiry in the matter and he relies upon such report to submit that there are irregularities and embezzlement of funds by the persons who are managing the affairs of the college.

4. This Court is of a firm view that under Article 226, a person can approach this Court for adjudication of his rights or for purposes as laid down therein for personal vengeance. The writ petition would not lie. Even otherwise, the matters relating to services are on a different footing. Public Interest Litigation also is not maintainable.

5. Admittedly, the college is under a University and it is for the University to take up decision with regard to the concerned college. The petitioner is nothing but a busy body.

6. The writ petition is wholly frivolous and deserves to be dismissed and is accordingly dismissed with a cost of Rs. 20,000/-(twenty thousand) to be deposited by the petitioner in the



Bihar State Legal Services Authority recoverable as arrears of rent
revenue.

(Sanjeev Prakash Sharma, J)

P. Kumar
Item No. 36

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

