

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8733 of 2023

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Mahesh Kumar Singh S/O Sri Ramdip Singh R/o Utsav Bhawan Gali, Pali Road, Dehri-on-Sone, P.S.- Dehri-on-Sone, Distt.- Rohtas at Sasaram(Bihar), Pin Code- 821307.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary Govt. of Bihar, Old Secretariat, Patna.
2. The Principal Secretary, Higher Education, Education Department, Government of Bihar, New Secretariat Vikash Bhawan, Bailey Road, Patna.
3. The Director, Higher Education, Education Department, Government of Bihar, New Secretariat Vikash Bhawan, Bailey Road, Patna.
4. The Vice-Chancellor of Veer Kunwar Singh University, Ara.
5. The Veer Kunwar University, Ara through its Registrar.
6. The Vice-Chancellor of Magadh University, Bodh Gaya, Distt- Gaya.
7. The Magadh University, Bodh Gaya, Distt.- Gaya through its Registrar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Dr. Chandra Shekhar Azad, Advocate
For the State	:	Mrs. Binita Singh (SC 28)
For the M.U.	:	Mr. Siddhartha Prasad, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 01-08-2023

1. The petitioner has filed the above writ petition alleging that the grant-in-aid to the affiliated degree colleges are being continued despite the Selection Committees having not completed the scrutiny in accordance with the amendment to Section 57A of the Bihar State Universities Act, (Act-XIII), 1976 by the Bihar State Universities (Amendment) Act, 2015.



2. The allegation seems to be against the teachers who have been appointed prior to 19.04.2007 without the recommendation of the Bihar College Service Commission on the basis of the qualifications in force at the time of appointment of such teachers. The writ petition has been filed without any ground work, on the basis of the amendment brought into the Act in 2015 and presuming that the statutory mandate to scrutinize appointments would not have been commenced. There is nothing stated about the colleges or the appointments made of persons without the required qualification. The roving enquiry attempted by the petitioner is not possible in a public interest litigation, which does not put forth any details to substantiate the allegations raised. We find no reason to invoke the extraordinary jurisdiction and dismiss the writ petition.

(K. Vinod Chandran, CJ)

(Partha Sarthy, J)

Sunil/-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	08.08.2023
Transmission Date	

