

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21325 of 2019

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Mahtheen Maa Maha Vidayalya Bihiya through its Secretary, Shatrudhan Sharma aged about 59 years (M), son of Baijnath Sharma, resident of Ward No. 6 Main Road Bihiya, Behea, P.S. Bihiya, District- Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Deputy Secretary, Education Department, Government of Bihar, Patna.
3. The Director, Higher Education, Patna.
4. Veer Kuwar Singh University, Ara through its Registrar.
5. The Vice- Chancellor, Veer Kuwar Singh University, Ara.
6. The Registrar, Veer Kuwar Singh University, Ara.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Ms. Shama Sinha, Adv.
For the Respondent/s : Mr.Amit Bhushan, AC to GP-17

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 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 on the ground that the College is having the land on lease for 30 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 in CWJC No. 20405/2019 dated 03.03.2021 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 issued has already been decided by this Court in CWJC No. 20405/2019 as relied upon by the petitioner.

5. In the result, this writ application is allowed. The impugned order dated 12.09.2019 (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 order passed by this Court in CWJC No. 20405/2019 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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