

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17843 of 2022

=====

Bachha Singh S/o Late Buchun Singh, Resident of Village Indour, P.S. Dinara, District - Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary Higher Education, Education Department (Human Resources Dept.), Govt. of Bihar New Secretariat Patna.
2. The Director, Higher Education, Human Resource Department, New Secretariate.
3. The Deputy Secretary Department of Education, New Secretariat, Patna.
4. The Chancellor University of Bihar Raj Bhawan, Patna.
5. The Vice Chancellor, Vir Kunwar Singh University, Bhojpur, Ara.
6. The Registrar, Vir Kunwar Singh University, Bhojpur, Ara.
7. The Secretary, Governing Body, Badri Narayan College Indore, Bhojpur.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Bindeswari Singh
For the Respondent/s	:	Mr. Kameshwar Kumar (Gp17)
		Mr. Ritesh Kumar, Adv.
		Mr. Surendra Kumar Singh, Adv.

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 05-05-2023 The present writ application has been filed for quashing of the letter dated 10.10.2022 [Annexure -2] and other consequential letters by which Adhoc Committee was constituted by the Registrar, Vir Kunwar Singh University, Bhojpur, Ara (hereinafter referred to as “the University”).

The petitioner was a donor member in the Committee constituted in the year 2014 and after completion of its tenure in 2017 the regular committee was not constituted. Accordingly,



vide Annexure- 1 dated: 11.02.2022 the Registrar of the University constituted an Adhoc Committee in which the petitioner was also included as donor member of the Adhoc Committee with a direction to constitute a regular committee within a period of three months. When regular committee was not constituted by the petitioner despite time granted by the University, the University constituted another Adhoc Committee dated 10-10-2022 with instruction to the Adhoc Committee to constitute regular committee within four months.

Learned counsel for the petitioner submits that petitioner is donor member and as per Section 60(v) of the Bihar State University Act, 1976 the petitioner is necessarily required to be there in the Adhoc Committee. Upon asking the legal provision from the petitioner, the petitioner failed to point out any statute and / or substantive Act in which the necessity to include the donor member in the Adhoc Committee is there.

Learned counsel for the University submits that dispute is only with regard to constitution of regular committee and University was in the process of constitution of regular committee but in the meanwhile ex-parte stay order was granted by this Court vide order dated: 06/01/2023.

Having heard learned counsel for the parties, taking



into consideration the material on record and the nature of dispute, I direct the शासी निकाय as well as concerned University to constitute the regular committee within a period of one month from today.

With the aforesaid observation and direction, the writ application stands disposed of.

(Anil Kumar Sinha, J)

praful/-

U			
---	--	--	--

