

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1937 of 2023

Mahanth Ayodhya Chandrashekhar Prasad Yadav (M.A.C.P.Y.) Degree Collage, Dhakamore, Banka, through its Stake holder, Chandrashekhar Prasad Yadav, Gender- Male, aged about- 78 years, Son of Mahabir Yadav, resident of Bari Dhaka, Post- Dhakamore, P.S.- Banka, Teliya, District- Banka.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Patna, Bihar.
2. The Director, Higher Education, Patna, Bihar.
3. The Deputy Secretary, Education Department, Patna, Bihar.
4. The Vice Chancellor, Tilka Manjhi Bhagalpur University, Bhagalpur.
5. The Registrar, Tilka Manjhi Bhagalpur University, Bhagalpur.
6. The Chancellor of Universities of Bihar, Raj Bhawan, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Prahalad Kumar Bhagat, Adv
For the State	:	Mr. Madhukar Mishra, AC to SC16
For the Chancellor	:	Mr. Janardan Pd. Singh, Sr. Adv
		Mr. Rajiv Ranjan Kumar Pandey, Adv
For the T.M.B.U.	:	Mr. Ashhar Mustafa, Adv

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

7 11-09-2024 Heard learned counsels for the parties.

2. A counter affidavit is filed on behalf of the Tilka Manjhi Bhagalpur University, Bhagalpur (hereinafter referred to as “the University”) in the Court. Let the same be accepted and kept on record.

3. The present writ application has been filed for quashing and setting aside the order dated 02.03.2022 contained in Memo No.14/M7-118/2016-207 issued by respondent no.3/ the Deputy Secretary, Education Department, State of Bihar, by which



affiliation of petitioner's college for imparting Bachelor of Commerce and Bachelor of Arts course has been rejected. And for a direction to the respondents to allow the petitioner's college to take admission of the students of mostly backward and remote areas, and the further the University be directed to provide portal/link and password to the petitioner's college, so that they can take admission in session 2020-2023 and onwards of the bachelor courses (Hon) in the faculty of Science, Arts and Commerce.

And for any other relief for which the petitioner is found entitled to in the facts and circumstances of the case.

4. In compliance of the order dated 13.08.2024, the respondent-University constituted a high level enquiry committee vide office order no.109/2024 dated 22.08.2024. As per the enquiry report (enclosed as Annexure -A of the counter affidavit filed on behalf of the University), both Mahant Ayodhya Yadav College and Mahant Ayodhya Chandra Shekhar Prasad Yadav College has been named for the same college (Mahant Ayodhya Yadav College) built on Khata No.16, Kheshra No.565, Rakba 03 acres 20 decimal by Deed No.23969 dated 22.12.1990.

5. Considering the materials available on record, University



is directed to send a fresh proposal to the respondent-State, enclosing the enquiry report of the University within a period of three weeks and respondent-State is directed to consider the case of the petitioner within a period of six weeks from the date of receiving of the proposal of the University, in accordance with law.

6. Accordingly, the order dated 02.03.2022 contained in Memo No.14/M7-118/2016-207 issued by respondent no.3/ the Deputy Secretary, Education Department, State of Bihar, is hereby quashed and this writ application stands disposed of.

(Anjani Kumar Sharan, J)

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