

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19696 of 2016

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1. Ashvini Kumar @ Dr. Ashvini Kumar and Anr son of Late Suryamani Mishra Resident of Mohalla- Ramdaspur Lane, House No. 31, Ward No. 4A/17, Gurudwara Road, P.S.- Kotwali, District- Gaya
 2. Vidya Sagar Singh @ Dr. Vidya Sagar Singh son of Late Kedar Nath Singh resident of Quarter No. 457A, Marshalling Yard, P.S.- Delha, District- Gaya

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Human Resources Development Department, Government of Bihar, Old Secretariat, Patna.
2. the Principal Secretary, Human Resources Development Department, Government of Bihar, Old Secretariat, Patna.
3. The Secretary, Human Resources Development Department, Government of Bihar, Old Secretariat, Patna.
4. The Director, Higher Education, Human Resources Development Department, Government of Bihar, Old Secretariat, Patna.
5. The Vice- Chancellor, Magadh University, Bodh Gaya, District- Gaya.
6. The Registrar, Magadh University, Bodh Gaya, District- Gaya .
7. The Inspector of Colleges- cum- Deputy Director, Higher Education, Human Resources Development Department, Government of Bihar, Old Secretariat, Patna.
8. Sanjay Gandhi Mahila College, Gaya through the Secretary, Governing Body, Bairagi, Bageshwari Road, Gaya, District-Gaya.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Abhay Kumar Thakur, Advocate
For the Respondent/s	:	Mr.Kameshwar Kumar-GP 17
For M.U.	:	Mr. Sunil Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL JUDGMENT

Date : 09-09-2024

1. Heard learned counsel for the parties concerned.
2. The petitioners have approached this Court for payment of amount under grant-in-aid to the affiliated college through the University, as per the policy decision of the State



Government dated 21.11.2008. Petitioner no. 1 has claimed to be appointed in the College by the governing body in the year 1985 and since then, he has been performing his duties regularly in the College namely Sanjay Gandhi Mahila College, Gaya in the subject of Mathematics. Petitioner no. 2 was appointed in the subject of Pali in the said College by the governing body in the year 1985.

3. A counter affidavit has been filed by the University stating therein that on the direction issued by the Director, Higher Education, Government of Bihar, a Three-Men Enquiry committee was constituted by the University and information in this regard was communicated to the State Government vide letter no. GIIIA/56/2013 dated 16.03.2013. The report of the Enquiry committee revealed that the petitioner no. 1 was terminated by the governing body in the year 2007 itself. Petitioner no. 1 had obtained 53.07% marks in post graduate examination, whereas 55% marks is the eligibility for appointment as Lecturer. It has been argued that petitioner no. 1 used fake signature of the Principal for opening bank account in Punjab National Bank, which was closed in the year 2008, as per the direction of the then Registrar. Insofar as petitioner no. 2 is concerned, learned counsel submits that the



governing body terminated petitioner no. 2 in the year 1999 itself. Petitioner no. 2 was appointed in the subject of Pali whereas there was no affiliation of the Department of Pali in the said College and the State Government releases grant-in-aid for the affiliated departments only, accordingly, the respondent-University denied the entitlement of grant-in-aid to the petitioners.

4. Having heard learned counsel for the parties and taking into consideration the fact that the petitioners were terminated way back in the 2007 and 1999, respectively by the governing body, I do not think it fit to issue direction to the respondents for payment of grant-in-aid given to the University/ College by the State Government. Accordingly, the present writ application stands dismissed.

(Anil Kumar Sinha, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	10.09.2024
Transmission Date	NA

