

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18651 of 2018

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Rajeshwar Thakur Sanskrit Mahavidyalay Son of Late Abhinadan Mishra,
Resident of Village- Dahora Tola Balia, P.S.- Manigachhi, District-
Darbhanga.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Principal Secretary, Higher Education, Department of Education,
Government of Bihar, Patna.
3. The Additional Secretary, Department of Education, Government of Bihar,
Patna.
4. The Joint Secretary to Govt. Education Department, Government of Bihar,
Patna.
5. The Deputy Secretary to Govt. Education Department, Government of
Bihar, Patna.
6. The Director, Higher Education, Department of Education, Government of
Bihar, Patna.
7. Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar,
Darbhanga through its Registrar.
8. The Vice-Chancellor, Kameshwar Singh Darbhanga Sanskrit University,
Kameshwar Nagar, Darbhanga.
9. The Registrar, Kameshwar Singh Darbhanga Sanskrit University,
Kameshwar Nagar, Darbhanga.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Durga Nand Jha, Adv.
For the State	:	Mrs. Binita Singh- Sc28
For the University	:	Mr. Deepak Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

21 04-07-2024 Heard learned counsel for the petitioner and learned
counsel for the State and learned counsel for the Kameshwar
Singh Darbhanga Sanskrit University.

2. The petitioner's case, in short, is that the college,
namely, Rajeshwar Thakur Sanskrit Mahavidyalay, Raghopur
was established in July, 1979. The State Government granted



approval of temporary recommendation as recommended by the University for year 1979-81, 1981-84, 1984-85, 1985-86 to 1995. The chancellor framed statute for regularization of temporary teachers appointed prior to 28.02.1982 all teachers were being paid their salary. On 04.07.1999, the payment of teaching and non-teaching staff of 16 colleges for non-approval of the recognition of the college was stopped by the State. On 24.06.2000, during the pendency of writ application, the State cancelled the affiliation of 17 colleges which was also challenged in by way of writ petitions i.e. CWJC No. 9085 of 1999 and CWJC No. 9154 of 1999 and both writ were allowed (reported in 2001 (1) PLJR 601). On 14.12.2001, the University recommended the petitioner's college for permanent recognition. On 21.12.2010, the college was inspected and report was sent to the Government. On 06.01.2014, Government rejected the approval of recognition on the basis of 1986 Statute, which is not applicable to Sanskrit college. On 24.12.2017, upto Senate permanent affiliation was recommended but the approval was rejected by the Government for non-fulfilling the required teachers.

3. Learned counsel for the petitioner submits that the present case is squarely covered by orders passed by the co-



ordinate Bench of this Court passed in C.W.J.C. No. 17283 of 2019 dated 23.08.2019, C.W.J.C. No. 19574 of 2019 dated 23.09.2019 and C.W.J.C. No. 20666 of 2019 dated 16.10.2019.

4. Considering the above-mentioned facts, the respondent State is directed to grant temporary affiliation to the institution for appointment of all the teachers against sanctioned strength within four weeks. The University is also directed to constitute the Selection Committee within eight weeks after grant of temporary affiliation and the Managing Committee is directed to complete the appointment of teachers within two months.

5. With the aforesaid direction, the writ application stands disposed of.

(Anjani Kumar Sharan, J)

anand/-

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