

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10144 of 2023

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Bipin Kumar S/o Late Baleshwar Singh, R/o Village- Makanpur, P.O. - Habbipur, P.S.- Hilsa, District - Nalanda - 801302.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Main Secretariat, Patna.
2. The Principal Secretary, Finance Department, Government of Bihar, Patna.
3. The Principal Accountant General (A and E) Bihar, Mahalehakar Bhawan, Birchand Patel, Patna.
4. The Secretary, Science and Technology Department, Government of Bihar, Technology Bhawan, Bailey Road, Patna.
5. The Director, Science and Technology Department, Government of Bihar, Technology Bhawan, Bailey Road, Patna.
6. Member Secretary, AICTE (All India Council Technical Education) Nelson Mandela Marg Vasant Kunj, New Delhi - 110067.
7. Secretary UGC (University Grants Commission) Bahadur Shah Zafar Marg, New Delhi - 110002.
8. Secretary, BPSC (Bihar Public Service Commission), 15, Jawahar Lal Nehru Marg, Bailey Road, Patna, Bihar.
9. Dr. Kumar Surendra, Principal of Bakhtiyarpur College of Engineering Bakhtiyarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Jitendra Kumar Rai, Advocate
For the State	:	Mr. K. P. Gupta, GP-10
		Mr. Satya Vrat, AC to GP-10
For the respondent no. 9 :		Mr. P. N. Shahi, Sr. Advocate
		Mr. Deep Shekhar, Advocate
		Ms. Deeksha Singh, Advocate
		Mr. Amit Anand, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 22-01-2024 Heard the parties.

2. The petitioner has moved this Court for the following reliefs:-

*“(i) For the issuance of a writ of
Quo Warranto asking the respondent,*



particularly the Respondent No. 9 to show, to the satisfaction of this Hon'ble Court as to under what legal/constitutional authority he is holding the office of the Principal, Bkahtiyarpur Engineering College as his degree of Professor is illegal in itself.

(ii) For the issuance of a writ of mandamus holding that the Respondent No. 09 is illegally occupying the office of the Principal, Bkahtiyarpur Engineering College and his continuance as the holding of aforesaid post is in violation of Article 14 and 16 of the Constitution of India.

(iii) For the issuance of a writ of mandamus holding that the Respondent no. 9 has violated the Resolution dated 16.07.2007 of Personnel and Administrative Reforms Department, Govt. of Bihar to the effect that he has obtained 28.582 marks awarded by Bihar Public Service Commission in his respective category ie., Scheduled Caste despite the fact that he was required to obtain 32% marks for the purpose of the appointment to the post of Principal.”

3. This kind of frivolous and defective writ petitions are bound to be dismissed as though the petitioner claims that he has moved the Registrar, Bheemrao Ambedkar Bihar University, Muzaffarpur pursuant to the judgment dated 06.01.2022 passed in C.W.J.C. No. 19580 of 2021 but the petitioner has not made the Registrar, Bheemrao Ambedkar Bihar University, Muzaffarpur as party respondent in this case.

4. The writ petition is defective and is accordingly dismissed.

5. It is made clear that if these kind of writ petitions



are filed by the petitioner in future, the petitioner will have to annex demand draft of Rs. 25,000/- along with the writ petition then only his writ petition shall be heard by this Court.

(Sandeep Kumar, J)

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