

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16682 of 2021

Nav Vihar Education and Rural Development Society, Gaya, through its Secretary, Rajesh Ranjan Sahay, aged about 47 Yrs. Male, Son of Late Girish Lal, Resident of Mohalla-Bahuwar Chaura, P.S.-Vishnu Pad, District-Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Deputy Secretary of the Education Department, Government of Bihar, Patna.
3. The Magadh University, Bodh Gaya, Gaya, through its Registrar.
4. The Vice-Chancellor of the Magadh University, Bodh Gaya, Gaya.
5. The Registrar of the Magadh University, Bodh Gaya, Gaya.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Mishra
For the Respondent/s : Mr.Lalit Kishore (Ag)

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 11-09-2024 Heard the parties.

2. The present writ application has been filed for quashing the letter dated 30.06.2021, passed and issued by the Deputy Secretary of the Government of Bihar, Patna whereby and where under the proposal for grant of approval of affiliation to the Educational Institution run by the petitioner society namely “Magadh Evening College”, at Village- Dohari, P.S. - Muffassil, Block- Manpur, Gaya (Bihar) has been rejected and further respondents be directed to reconsider and accord approval for permanent affiliation to the petitioner’s college in Arts subject for Graduation in the light of the University Statute part- ii clause



15(1) meant for evening college.

3. Learned counsel for the University submits that University had sent proposal for granting affiliation to the petitioner college but State has rejected the said approval on the ground that the college did not fulfill the terms and conditions as prescribed by Chancellor's Secretariat by its letter no.1098 dated 19.04.1986. The College did not fulfill the prescribed requirement as laid down in clause 15(1) of the said statute.

4. Considering the materials available on record, letter dated 30.06.2021, passed and issued by the Deputy Secretary of the Government of Bihar, Patna is hereby quashed and the respondent-State is directed to pass a fresh order in accordance with law after hearing the parties, within a period of six weeks from today.

5. Accordingly, this writ application is disposed of.

(Anjani Kumar Sharan, J)

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