

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15066 of 2019

1. Dr. Ramanuj Prasad Son of Late Jay Ram Singh Resident of Village- Srirampur, Police Station- Hisua, District- Nawada.
2. Sunil Kumar Son of Kishori Prasad Resident of Village- Saurai, Police Station- Rajgir, District- Nalanda.
3. Surendra Prasad Son of Late Bachchu Singh Resident of Village- Kurkihar, Police Station- Wazirganj, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Bihar, Patna.
2. The Principal Secretary, Department of Education, Bihar, Patna.
3. The Special Secretary, Department of Education, Bihar, Patna.
4. The Deputy Secretary, Department of Education, Bihar, Patna.
5. The Director, Higher Education, Bihar, Patna.
6. The District Magistrate, Nawada.
7. The Additional Collector, Nawada.
8. The Circle Officer, Nardiganj, Nawada.
9. The Magadh University, Bodhgaya through its Registrar, Bodhgaya, District Gaya.
10. The Vice Chancellor, Magadh University, Bodhgaya.
11. The Registrar, Magadh University, Bodhgaya, District- Gaya.
12. Ram Pravesh Sharma Father name not known to the petitioner Rajendra Nagar, Nawada.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. P.K. Sahi, Sr. Adv. Mr. Sanjay Kumar, Adv.
For the State	:	Mr. Jitendra Kr. Roy 1 (Sc13)
For the University	:	Mr. S.K. Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

10 25-07-2024 Heard learned Senior counsel for the petitioners,

learned counsel for the State and learned counsel for the

University.



2. Learned Senior counsel for the petitioners has filed a rejoinder to the counter affidavit in Court. Let it be kept on record.

3. The present writ petition has been filed seeking the following reliefs:

“(i) For issuance of a writ in the nature of certiorari to quash the order as contained in letter no. 1447 dated 04.07.2019 issued under the signature of the Deputy Secretary to the Government, Department of Education, Bihar, Patna, addressed to the Registrar, Magadh University, Bodh Gaya, whereby and whereunder the permanent affiliation granted to the Nardiganj Degree College, Nardiganj, Nawada (hereinafter referred to a “Degree College”) vide letter no. 263 GIIIB/18, has been cancelled on the ground that the petitioners’ college does not have adequate land as required by letter no. 1098 dated 19.04.1986 and modified letter no. 3196 dated 14.12.2017 issued by the Governor Secretariat.

(ii) For issuance of writ in the nature of Mandamus commanding and directing the respondent’ authorities not to give effect to the aforesaid impugned order of cancellation and/or to pass such order and orders as this Hon’ble Court may deem fit and proper in the facts and circumstances of case.”

4. A reply to the counter affidavit has been filed on behalf of the petitioners in which it is enclosed that the Circle Officer has given the certificate that the land belongs to the petitioners is a separate land.

5. Considering the facts and circumstances of the case, the petitioners are directed to file a detailed representation before the respondent no. 3 along with all supporting documents within a period of two weeks and the respondent no. 3 is well



advised to consider the case of the petitioners after affording opportunity of personal hearing or through their counsel and pass a reasoned and speaking order in accordance with law within six weeks thereafter.

6. Accordingly, the letter no. 1447 dated 04.07.2019 (Annexure-15) is hereby quashed and the State is directed to take decision in accordance with law.

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

(Anjani Kumar Sharan, J)

anand/-

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