

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17582 of 2019

Banbhat Sanskrit College Mahrauli, Sakari Khurd, P.S.- Palasi, District- Arwal through its Acting Principal namely Amresh Kumar, aged about 50 years (Male) Son of Satya Narayan Singh, Resident of Mohalla- Raja Bazar, P.S.- Jehanabad Town, District- Jehanabad.

... .. Petitioner/s

Versus

1. The Chancellor Bihar, Patna.
2. The State of Bihar Through the Principal Secretary, Department of Education, Government of Bihar, New Secretariat, Patna.
3. The Principal Secretary Department of Education, Government of Bihar, New Secretariat, Patna.
4. The Joint Secretary to the Government Education Department, Government of Bihar, New Secretariat, Patna.
5. The Deputy Secretary to the Government Education Department, Government of Bihar, New Secretariat, Patna.
6. The Director Higher Education Department, Government of Bihar, New Secretariat, Patna.
7. The Kameshwar Singh Darbhanga Sanskrit University, Darbhanga through its Registrar.
8. The Vice Chancellor Kameshwar Singh, Darbhanga Sanskrit University, Darbhanga.
9. The Registrar/ in-Charge Registrar Kameshwar Singh, Darbhanga Sanskrit University, Darbhanga.
10. The Examination Controller Kameshwar Singh, Darbhanga Sanskrit University, Darbhanga.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Binod Kumar, Adv.
For the State	:	Mr. Narendra Kumar, AC to GP20
For the University	:	Mr. Deepak Kumar, Adv.
For the Respondent no.1	:	Mr. Janardan Pd. Singh, Sr, Adv. Mr. Rajiv Ranjan Kr. Pandey, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

6 04-07-2024 Heard learned counsel for the petitioner, learned counsel for the University, learned Senior counsel for the respondent no. 1 and learned counsel for the State.



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

“(I) For quashing the order vide letter No 3666/2019 dated 08.04.2019 issued by the examination controller Kameshwar Singh, Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga whereby and where under it has been directed to the has been issued that petitioner to submitted the examination form from affiliated, and recognized and constituent colleges of Kameshwar Singh, Darbhanga Sanskrit University after tangoing according to programme and till the affiliation not take admission in session 2019 in your college otherwise you are responsible for same.

(II) For direction to the respondent authorities to grant permanent affiliation to Shree Banbhat Sanskrit College, Mahrauli Sakari Khurd (herein after college in question) in the light of Hon'ble Court's order dated 17.01.2018 passed in CWJC No 4353 of 2017 and to include the name of college in question in the list of affiliated colleges in the website of university.

(III) For direction to the respondents not to disturb the affairs of college in question regarding admission, examination and other affairs.

(IV) For quashing the order contained in Memo No. 2476 dated 21.10.2019 issued by the Deputy Secretary to the Government.

(V) For any other reliefs for which the petitioner's college is entitled in the eye of law in the facts and circumstances of the case.”

3. Learned counsel for the petitioner has filed a supplementary affidavit in Court. Let it be kept on record.

4. In compliance of order dated 05.01.2024, learned counsel for the petitioner has filed a supplementary affidavit in which it is stated that the petitioner has modified the structure of the college and constructed a concrete structure of four rooms.

5. Considering the facts stated in supplementary



affidavit filed on behalf of the petitioner, the Memo No. 2476 dated 31.10.2019 passed by the Deputy Secretary to the Government, Education Department, is hereby set aside.

6. The petitioner is directed to file a detailed representation before the respondent no. 5 (The Deputy Secretary to the Government, Education Department, Government of Bihar, New Secretariat, Patna) along with all supporting documents within a period of four weeks and the respondent no. 5 is well advised to consider the case of the petitioner after affording opportunity of personal hearing or through his counsel and pass a reasoned and speaking order in accordance with law regarding affiliation of the college within eight weeks thereafter.

7. It is made clear that the respondent no. 5 shall be liable for non-compliance of this order within the stipulated period.

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

(Anjani Kumar Sharan, J)

anand/-

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