

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15504 of 2024

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ABC College of Education Neora, District- Patna, Bihar- 800110 through its Secretary Ashish Kumar, aged about 56 years (Male), S/o Late S.R. Motani, resident of 201, Kanika Maihar Apartment, P.S.- Kadam Kuan, District- Patna.

... .. Petitioner/s

Versus

- 1 . The State of Bihar through Principal Secretary, Department of Education, Government of Bihar.
- 2. All India Council for Technical Education, through its Chairman, Nelson Mandela Marg, Vasant Kunj, New Delhi- 110070.
- 3 . Patliputra University, through its Registrar, Old Bypass Road, Kankarbagh, Patna, Bihar- 800020.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Tuhin Shankar , Advocate
For the Respondent/s	:	Mr. Standing Counsel (21)
		Mr. Kumar Samarjeet Singh, AC to SC 21
For PPU	:	Mr. Rana Vikram Singh, Advocate
		Mrs. Rasika, Advocate
For ATCT	:	Mrs. Archana, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 18-12-2024 Heard learned counsel for the parties.

2. This writ petition has filed for following reliefs:-

- (i) *For issuance of writ of Mandamus or any other appropriate writ, order, or direction to the Respondents directing them to immediately issue the notification of affiliation to ABC College of Education, Neora, District Patna, for BCA and BBA courses for the Academic Session 2024-25, in accordance with the AICTE's approval and the State Government's notification .*
- (ii) *For directing the Respondents to open the admission portal for at least four weeks to allow the Petitioner institution to process admissions for the Academic Session 2024-25, as the delay was caused solely due*



to the Respondents' negligence .

(iii) For issuance of a writ of Mandamus or any other appropriate writ restraining the Respondents from creating any further hindrances in the admission process and ensuring smooth admissions for the Petitioner's courses in the future .

(iv) To award the cost of present litigation as well as the compensation for the harassment and damages/loss incurred by the Petitioner Institution attributable to the Respondent No. 3 .

(v) For issuance of any other appropriate writ, order or direction which your Lordships may deem fit and proper in the facts and circumstances of the case .

3 . Learned counsel for the petitioner submits that the Petitioner, ABC College of Education, Neora, District Patna, Bihar, is a duly recognized and approved educational institution established and managed by Arcade Educational Trust. The institution has been granted approval from the All India Council for Technical Education (AICTE) for conducting three-year undergraduate courses in Bachelor of Computer Application (BCA) and Bachelor of Business Administration (BBA). The AICTE's approval for the Academic Session 2024- 25 allows an intake of 360 students in each course, as per Notification No. F.No. Northern/1-43662795032/2024/EOA dated 08.06.2024 .

4. Learned counsel for the petitioner next submits that after obtaining the AICTE approval, the petitioner applied vide application dated 13.06.2024 to Patliputra University, Patna



(hereinafter referred to as "the Respondents") for affiliation of the BCA and BBA courses. The Respondents, after receiving the application, demanded an inspection fee of Rs. 3,54,000/- (Rupees Three Lakhs Fifty Four Thousand Only), which was duly paid by the Petitioner on 21.06.2024, vide DD No. 066087 issued by IndusInd Bank, Patna . He next submits that the payment of the inspection fee , a committee constituted by the Respondents inspected the Petitioner's campus. The inspection confirmed the institution's compliance with the necessary norms and standards laid down by AICTE for conducting BCA and BBA courses. The inspection committee recommended granting affiliation to the Petitioner institution .

5 . The Petitioner fulfilling all formalities, and notwithstanding the approval of the University bodies and the directive from the State Government, the Respondents have failed to issue the formal notification of affiliation for the BCA and BBA courses.

6. Learned counsel for the petitioner lastly submits that in this regard, petitioner has filed several representations before the concerned authority but till date no action has been taken .

7. In view of the aforesaid facts and circumstances,



this writ petition is disposed of with direction to the petitioner to raise his grievances by filing fresh representation before the Patliputra University, through its Registrar, Old Bypass Road, Kankarbagh, Patna, Bihar (Respondent No. 3), along with all the necessary documents and details in support of his claim within a period of four weeks from today .

8 . In the event the petitioner files his representation within the stipulated period, the Patliputra University, through its Registrar, Old Bypass Road, Kankarbagh, Patna, Bihar (Respondent No. 3) shall dispose of the same , in accordance with law, after hearing the parties, by a reasoned and speaking order, preferably within a period of three months from the date of filing of the representation .

(Prabhat Kumar Singh, J)

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