

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6616 of 2025

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Naveen Kumar S/o Late Abnindra Kumar Mishra Resident of Village and Post- Shreekhandi Bhittha, P.S.- Sursand, District-Sitamarhi, at Present Secretary, Jawahar Lal Nehru Memorial College, Nawahi, Sursand (Sitamarhi), affiliated Unit of B.R.A. Bihar University, Muzaffarpur.

... .. Petitioner/s

Versus

1. The Vice Chancellor, B.R.A. Bihar University, Muzaffarpur.
2. The Registrar, B.R.A. Bihar University, Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Shashi Bhushan Singh, Adv.
For the Respondent/s	:	Mr. Bindhyachal Rai, Adv.
	:	Mr. Sunil Kumar Karn, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 29-04-2025

1. Heard the parties.

2. The petitioner has filed the present writ application being aggrieved by the office order of the University, dated 27.09.2024, by which a committee has been constituted for examining and verifying the donor of JLNMC College, Nawahi, Sursand, Sitamarhi.

3. Learned counsel for the petitioner submits that earlier while forming the governing body, one dependent of donor was included in the governing body. Mrs. Sita Devi, wife of another donor, namely late Ram Sahay Sah, approached this court for declaring her as a donor member. This court disposed the writ application bearing CWJC No. 2547 of 2019 vide order



dated 13.02.2019 permitting Sita Devi to file a representation before Respondent No. 3 i.e. Vice-Chancellor of the University within a period of four weeks with further direction to dispose the same by a reasoned order. The University, in compliance of the aforesaid order, formed a Three-Men Committee vide office order, dated 16.10.2020. The Three-Men Committee recommended for inclusion of Sita Devi, as donor member on the ground that her husband was a donor and had donated land etc. The University was not satisfied with the report in favor of Sita Devi. Accordingly, another Three-Men Committee was formed by office order, dated 03.03.2021. This committee submitted its report on 13.08.2021 with a conclusion that altogether nine donors have been identified in the college and a governing body can be constituted from amongst the nine donors.

4. Learned counsel further submits that after submission of the aforesaid report of the second committee, a third committee has been formed for verifying and examining the donor of JLN College, Nawahi, Sursand, Sitamarhi, which is not permissible in law inasmuch as the University has to decide on the basis of the Committee's report, dated 13.08.2021, in which nine donor members have already been identified.



5. Learned counsel for the University submits that the list of donors can be decided by the syndicate in terms of Statute 32 (2) (i) of the University Statutes regarding Governing Body.

6. Having heard learned counsel for the parties and going through the materials available on record and the statutory provisions, it appears that as per Statute 32 (2) (i) of the University Statutes regarding Governing Body every admitted college shall maintain a separate register in which names and addresses of such persons as have donated not less than Rs. 25,000/- to the college shall be entered. The register so maintained shall be kept up-to-date by endorsing, from time to time, all additions or corrections thereto. As per statute 32(2)(iv) every objection relating to inclusion or non- inclusion of the name of any person in the list of donors shall be filed before the Registrar within fifteen days of the publication of the notice in the newspapers and the Syndicate, after considering objections, if any, shall decide the matter.

7. Since the dispute in the present writ application is with regard to inclusion of Sita Devi in the list of donors for which committee after committee is being constituted, accordingly, I deem it expedient that the inclusion or non-inclusion of donor member of the college in question be decided by the syndicate



in terms of Statute 32(2)(iv) of the University Statutes for which the petitioner may file a representation before the Registrar of the University and the Registrar of the University shall forward the representation of the petitioner before the syndicate for taking a final decision after giving proper notice to Sita Devi and all concerned.

8. The syndicate is directed to take a decision in accordance with law within a period of three months from the date the syndicate receives the representation forwarded by the Registrar of the University.

9. Accordingly, the present writ application is disposed with the aforesaid direction and observation.

(Anil Kumar Sinha, J)

HarshPandey/-

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