

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7604 of 2025

=====

Rajeshwar Ram Son of Late Bashudea Ram, Resident of Mohalla- Ranipur
Nahar Par, P.S.- Phulwari Sharif, District- Patna

... .. Petitioner/s

Versus

1. The Chancellor of the Universities, Bihar, Patna
2. The Jai Prakash University, Through its Vice- Chancellor, Saran,
3. The Registrar, Jai Prakash University, Saran,
4. The Finance Officer, Jai Prakash University, Saran
5. The President, Ad-hoc Committee, Purvottar Railway College, Sonpur, Saran.
6. The President of The Erstwhile Ad-hoc Committee, Purvottar Railway College, Sonpur, Saran,
7. The Principal-cum-Ex-Officion, Member of the Ad-hoc Committee, Purvottar Railway College, Sonpur, Saran
8. The Branch Manager, Bank of India, Gola Bazar Branch, Sonpur, Saran
9. The Branch Manager, Punjab National Bank, Gai Bazar Branch, Sonpur, Saran

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Gyan Prakash, Adv.
For the Respondent/s	:	Mr. Bindhyachal Rai, Adv.
		Mr. Chandan Kumar, Adv.
For the Resp. No. 7	:	Mr. S.S.P. Yadav, Adv.

=====

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 15-12-2025

Heard the parties.

2. The petitioner, who has been working as a Lecturer in the Department of Commerce in the College in question, preferred the present writ petition, seeking quashing of the memo no. 2030 (R) dated 25.01.2025 issued by the Registrar of



the Jai Prakash University, Chapra restraining the operation of the bank account of the College. The challenge is also made to memo no. 2040 (R) dated 29.01.2025 issued by the Registrar of the University by the order of the Vice Chancellor of the University, constituting an Ad-hoc Committee by substituting earlier Ad-hoc Committee in a most arbitrary manner and against the provision of Clause 28 of the statute of the University.

3. Learned Advocate for the petitioner submitted that the College in question has been established in the year 1978 and was duly affiliated by the erstwhile Bihar University, Muzaffarpur in the year 1990 after getting approval from the State Government. Section 60 of the Bihar State University Act, 1976 provides that there shall be a Governing Body for management and administration of each affiliated College, consisting of seven members. Clause 32 of the service statute of the University provides the provision for management and constitution of the Governing Body, whereas Clause 28 deals with the provision of dissolution of Governing Body by the syndicate after giving reasonable opportunity. In exercise of the power vested in the Vice Chancellor under Section 10(12) read



with Section 60 of the Bihar State Universities Act, 1970 and under Clause 32 of the Service Statute, an Ad-hoc Committee of seven members was constituted vide memo no. 301 (R) dated 13.04.2022. The constitution of the afore-noted Ad-hoc Committee was unsuccessfully questioned in C.W.J.C. No. 7588 of 2022. The Court having taken note of the fact that the Ad-hoc Committee is framed of seven persons as provided under the Act and the statute, thus it cannot be said to be in any manner illegal or unjustified, held that no interference is warranted with the formation of Ad-hoc Committee.

4. Despite the aforesaid fact and while the College had been functioning smoothly, all of a sudden without having any notice or imputation levelled against the members of the Ad-hoc Committee, the Registrar of the University came out with the impugned order and restrained the operation of the bank accounts of the College and further constituted another Ad-hoc Committee of the College by substituting earlier seven members working Ad-hoc Committee, with a further Ad-hoc Committee of five members, till constitution of regular Governing Body of the College as per law.

5. Learned Advocate for the petitioner advertng the



aforesaid facts urged that on account of freezing of the accounts of the College, the teaching and non-teaching staff of the College are not getting their respective salaries/remuneration; moreover, the representations filed before the Vice Chancellor and the Registrar are also not getting any response, hence the present writ petition.

6. Counter affidavit's have been filed on behalf of the University as well as the Principal of the College. It is submitted by the learned Advocate for the University that the decision for constitution of Committee and debarring the earlier Managing Committee to operate the accounts of the College, have been taken on account of receipt of complaints in the office of the Registrar. It has been informed that incompetent and Junior Teacher is made In-charge of the College by the Committee, due to which the educational environment of the College has been disturbed. Despite the direction to the Secretary of the Ad-hoc Committee of the College to take immediate steps to restore educational environment and appoint appropriate person, the same has not been done; rather protest and agitation in the College is reported, due to which classes in the College has been repeatedly disturbed, therefore in order to restrain misuse of



fund of the College and to save the financial health of the College, the impugned orders came to be passed.

7. The Principal of the College in sum and substance has supported the averments made in the writ petition.

8. This Court has considered the submissions advanced by learned Advocate for the respective parties. It would be pertinent to observe that the earlier Ad-hoc Committee consisting of seven members was duly constituted under Memo No. 301 (R) dated 13.04.2022 with a clear stipulation that the Ad-hoc Committee would manage all the affairs of the College, till constitution of Regular Governing Body as per law.

9. Despite the complaints having been received with respect to certain irregularities and malfunctioning of the College, the earlier Ad-hoc Committee has been replaced with a new Ad-hoc Committee consisting of five members vide Memo No. 2040 dated 29.01.2025 with the identical stipulation that the Ad-hoc Committee would manage all the affairs of the College till constitution of the Regular Governing Body as per law. In C.W.J.C. No. 7588 of 2022, when the constitution of the seven member Ad-hoc Committee was put to challenge, no interference was made by this Court after having found the same



was constituted in accordance with law consisting of seven members, in terms with Section 60(1). It was also observed that Section 64 does not make any departure from 60(1) and it only speaks about an Ad-hoc Committee to function, so long as the Governing Body is not constituted. Clause 28 of the statute regarding Governing Body framed under the Bihar University Act provides that the syndicates shall give reasonable opportunity to the Governing Body to show cause against any proposed action.

10. *Prima facie*, it appears to the Court, before constitution of a new Ad-hoc Committee consisting of five members, no procedure has been followed. However, this Court, instead of making any adjudication on the issue of the legality of the constitution and dissolution of the Ad-hoc Committee, in order to resolve the dispute once for all, directs the University to constitute a Regular Governing Body hence forth in terms with Section 60 of the Bihar State Universities Act, 1970 for the management and administration of the college. Till the constitution of the Regular Governing Body, the existing Ad-hoc Committee shall continue and look into the affairs of the College, but in no circumstances the students of the college be



compelled to suffer.

11. It is expected that the Regular Ad-hoc Committee shall be constituted preferably within a period of eight weeks’ from the date of receipt/production of a copy of this order.

12. Accordingly the writ petition stands disposed.

(Harish Kumar, J)

supratim/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	17.12.2025
Transmission Date	NA

