

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9175 of 2023

Dr. Kishwar Aziz Khan Wife of Azirur Rahman Khan Resident of Mohalla-
Mehdi Hassan Chowk, Ward no-5, Brahampura, P.S.-Brahampura, P.O.-
M.I.T., District-Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary Education Dep. Bihar, Patna.
2. The Vice Chancellor, B.R.A. Bihar University, Muzaffarpur.
3. The Secretary, College Management Committee, L.N.Mishra College of Business Management, Muzaffarpur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Dr. Mahtab Ahmad
For the State	:	Mr. Madhaw Pd. Yadaw (Gp23) Ms. Meera Singh, AC to GP-23
For the University	:	Mr. Indrajeet Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE NANI TAGIA
ORAL ORDER

6 12-05-2025 Heard learned counsel for the parties.

2. The petitioner, who was engaged as teacher to teach M. Ed course in Lalit Narayan Mishra College of Business Management, has challenged the notification no. P/B.Ed/58, dated 03.06.2023 (Annexure-1), issued under the signature of Respondent No.3/ the Secretary of College Management Committee of the college in question, whereby the service of the petitioner has been terminated on the ground that the college administration does not have the resources to pay the petitioner.

3. Respondent no.1/ the State has filed a counter affidavit, wherein it has been stated in paragraph no.6 that Lalit



Narayan Mishra College is a private college affiliated to B.R.A. Bihar University and the State Government has no role in the decision taken by the management of the college.

4. No rejoinder has been filed by the petitioner to the counter affidavit filed by the State disputing the stand of respondent-State taken in the counter affidavit that Lalit Narayan Mishra College is a private college.

5. In view of the above admitted position that the Lalit Narayan Mishra College is a private college where the state has no administrative control, I am of the view that against the action of the private college, the writ petition under Article 226 of the Constitution of India will not be maintainable.

6. Accordingly, the writ petition is dismissed as not maintainable.

(Nani Tagia, J)

Amrendra/-

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