

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.624 of 2024

In

Civil Writ Jurisdiction Case No.12736 of 2023

Rukmini Devi wife of Late Dr. Prabhu Nath Singh, Doner Member of the Governing Body of Dr. P.N. Singh Degree College, Chapra, Resident of Kunwar Singh Colony, Police Station-Bhagwan Bazar, Chapra, District-Saran.

... .. Appellant/s

Versus

1. Khairuddin Ahmad son of Late Md. Aziz, Hafiz Path, Bhagwan Bazar, Police Station-Bhagwan Bazar, Chapra, District-Saran.
2. The J.P. University, Chapra through its Registrar.
3. The Vice Chancellor, J.P. University, Chapra, District-Saran.
4. The Registrar, J.P. University, Chapra, District-Saran.
5. Dr. Nageshwar Prasad Singh, son of Late Damodar Singh, resident of Vir Kunwar Singh Colony, Kashi Bazar, Police Station-Bhagwan Bazar, Chapra, District-Saran.

... .. Respondent/s

with

Letters Patent Appeal No. 626 of 2024

In

Civil Writ Jurisdiction Case No.9583 of 2023

Dr. Nageshwar Prasad Singh son of Late Damodar Singh, resident of Vir Kuer Singh Colony, Kashi Bazar, Police Station-Bhagwan Bazar, Chapra, Incharge Principal of Dr.P.N.Singh Degree College, Chapra.

... .. Appellant/s

Versus

1. The Chancellor of the Universities of Bihar Patna.
2. The State of Bihar, through the Additional Chief Secretary, Education Department (Higher Education), Patna.
3. The Additional Chief Secretary, Education Department (Higher Education), Government of Bihar, Patna.
4. The Jai Prakash University, through its Registrar, Chapra
5. The Vice Chancellor, Jai Prakash University, Chapra.
6. The Registrar, Jai Prakash University, Chapra.
7. The Secretary, Ad-hoc Committee, Dr.P.N.Singh Degree College, Chapra (Revived under order impugned).
8. The Uttar Bihar Gramin Bank, through its Chairman, Kalambagh Chowk, Muzaffarpur.



9. The Branch Manager, Uttar Bihar Gramin Bank, Brahmpur Branch, Chapra.
10. Hari Ballabh Mishra @ Hari Vallabh Mishra, son of Bansh Lochan Mishra, resident of village and Post- Basdila, Police Station-Jalalpur, District-Saran (Chapra) Lecturer-cum-Teacher's Representative, Governing Body, Dr.P.N.Singh Degree College, Chapra.

... .. Respondent/s

with
Letters Patent Appeal No. 629 of 2024
In
Civil Writ Jurisdiction Case No.12189 of 2023

Dr. Nageshwar Prasad Singh Son of Late Damodar Singh Resident of Vir Kuer Singh Colony, Kashi Bazar, Police Station- Bhawan Bazar, Chapra, Incharge Principal of Dr. P.N. Singh Degree College, Chapra.

... .. Appellant/s

Versus

1. The Ad- hoc Committee of Dr. P.N. Singh Degree College, Chapra through its Secretary, namely Mr. Janardan Singh Sigriwal, aged about 65 years, Gender-Male, Son of Nageshwar Singh, resident of Village- Mishrawalia Tola Jalalpur, Police Station- Jalalpur, District- Saran- 841412.
2. Vinod Kumar Singh, Son of Late Ram Ashish Singh Resident of D-48, Ajanta Colony, Keshri Nagar, Police Station- Patliputra, Town and District- Patna, presently working as In-charge Principal, Dr. P.N. Singh Degree College, Chapra, District-Saran.
3. The J.P. University, Chapra, through its Registrar.
4. The Vice Chancellor, J.P. University, Chapra, District- Saran.
5. The Registrar, J.P. University, Chapra, District- Saran.
6. The State of Bihar, through the Additional Chief Secretary, Education Department, Govt. of Bihar, Patna.
7. The Chancellor of the University, Raj Bhawan, Patna, through the Principal Secretary.
8. Hari Ballabh Mishra @ Hari Vallabh Mishra, Son of Bansh Lochan Mishra Resident of Village and Post- Basdila, Police Station- Jalalpur, District- Saran (Chapra).
9. Rukmini Devi, Wife of Late Dr. Prabhu Nath Singh Doner Member of the Governing Body of Dr. P.N. Singh Degree College, Chapra, District-Saran, Resident of Kunwar Singh Colony, Police Station- Bhagwan Bazar, Chapra, District- Saran.
10. Mr. Dinesh Kumar Singh, Son of Late Baliram Singh Resident of Village and Post - Leguar, Police Station- Daudpur, District- Saran, Co-opted Educationist Member of the G.B. of Dr. P.N. Singh Degree College, Chapra, District- Saran.
11. The Branch Manager, Uttar Bihar Gramin Bank, Brahmpur Branch Brahmpur, Chapra, Police Station- Bhagwan Bazar, District- Saran.



... .. Respondent/s

Appearance :	
(In Letters Patent Appeal No. 624 of 2024)	
For the Appellant/s	: Mr. Gyan Prakash, Advocate
For the Respondent/s	: Mr. Bindhyachal Rai, Advocate
For Respondent no.4.	: Mr. Sanjay Kumar Ghosarvey, Advocate
For Respondent no.2 &3	: Mr. Manoj Kumar Singh, Advocate
For the Chancellor	: Mr. R.K. Giri, Advocate
	Mr. Amish Kumar, Advocate
(In Letters Patent Appeal No. 626 of 2024)	
For the Appellant/s	: Mr. Sanjay Kumar Ghosarvey, Advocate
For the Respondent/s	: Mr. Bindhyachal Rai, Advocate
For Respondent no.1.	: Mr. Amish Kumar, Advocate
	Mr. R.K. Giri, Advocate
For Respondent no.4,5,6 :	Mr. Manoj Kumar Singh, Advocate
(In Letters Patent Appeal No. 629 of 2024)	
For the Appellant/s	: Mr. Sanjay Kumar Ghosarvey, Advocate
For the Respondent/s	: Mr. Bindhyachal Rai, Advocate
For Respondent no.2.	: Mr. Purushottam Jha, Advocate
For Respondent No.3,4,5:	Mr. Manoj Kumar Singh, Advocate
For Respondent no.7.	: Mr. Amish Kumar, Advocate
For Respondent no.8 &9 :	Mr. Gyan Prakash, Advocate
For Respondent no.10	: Mr. Madhav Jha, Advocate

CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

11 04-09-2025 Heard LPA No.626 of 2024.

2. Appellant-respondent no.8 in CWJC No.9583 of 2023 has assailed the order of the learned Single Judge dated 16.05.2024 in a batch of writ petition. It is necessary to reproduce the order of the learned Single Judge and it reads as under:

“Heard learned counsel for the parties.

2. Having heard learned counsel for the parties, I deem it fit and proper to



direct the Vice-chancellor to constitute a fresh governing body in accordance with law.

3. The University is directed to send another university representative in place of Dr. Ram Pher.

4. It is made clear that the bank account shall be operated by the Managing Committee, existing as of today, for the purpose of meeting the salary and day to day expenses only and no policy decision having financial bearing on the fund of the college shall be taken by the Managing Committee.

5. It is also made clear the University must complete the process of constituting the new governing body within two months in accordance with law.

6. With the aforesaid directions, the present writ petitions stand disposed of.”

3. There is no iota of material has been taken into consideration for the purpose of passing the aforementioned order in particularly *“I deem it fit and proper to direct the Vice-chancellor to constitute a fresh governing body in accordance with law.”*

4. Under what circumstances and with reference to which statutory of law the aforementioned direction has been ordered is not forthcoming. Consequently, rest of the paras is



also not supported by any material information. In the light of these facts and circumstances order of the learned Single Judge dated 16.05.2024 passed in C.W.J.C. No.9583 of 2023 is set aside and matter is remanded to the learned Single Judge while restoring the CWJC No.9583 of 2023. Learned Single Judge is requested to take up the matter on priority basis.

(P. B. Bajanthri, ACJ)

(Alok Kumar Sinha, J)

Prakash Narayan

U			
---	--	--	--

