

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10063 of 2025

Amol Roy, Son of Late Bindeshwari Roy, Resident of Village- Lakshmipur,
P.S.- Udakishunganj, District- Madhepura, at present Secretary of B.S.S.
Chandrakanta College, Ranjanapuri, Udakishunganj, District- Madhepura.

... .. Petitioner/s

Versus

1. The State of Bihar through its Additional Chief Secretary of Education Department of Govt. of Bihar, Patna.
2. The Director of Higher Education Department of Govt. of Bihar, Patna.
3. The Bhupendra Narayan Mandal University, Laloo Nagar, Madhepura, Bihar through its Registrar.
4. The Vice Chancellor of Bhupendra Narayan Mandal University, Laloo Nagar, Madhepura, Bihar.
5. The Dean of Student Welfare of Bhupendra Narayan Mandal University, Laloo Nagar, Madhepura, Bihar.
6. The Registrar of Bhupendra Narayan Mandal University, Laloo Nagar, Madhepura, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Ashok Kumar Choudhary, Sr. Adv. Mr. Sanjeev Kumar Jha, Adv.
For the State	:	Mr. Mrigendra Kumar, Adv.
For the University	:	Mr. Ritesh Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

4 25-09-2025

Heard the parties.

2. This matter was taken up on 08.09.2025. Statement of the petitioner was noticed that the institution in question had been extended affiliation for imparting education of graduation level with Honours for the session 2024 to 2028 and 2025 to 2029, but the admission portal of the concerned College has been abruptly closed on 04.05.2025; nonetheless, with respect to other colleges/institutions, the admission portal was remained



open. Specific contention was made that the petitioner -college fulfilled all the parameters for affiliation; however, the University on account of some *malafide* and oblique reason is bent upon to close the College. With all vehemence, it was raised that the entire inspection report is farce, in collusion with some scrupulous persons; conversely, the institution has been fulfilling all the prerequisite requirement and running the College smoothly.

3. In a rejoinder to the counter affidavit, especially in para-9, it has also been alleged that since the petitioner could not fulfill the illegal demand of respondent no.4, who is none else but the Vice-Chancellor of the University, the admission portal of the B.S.S. Chandrakanta College Udakishunganj has been closed on 04.05.2025.

4. Noticing all such pleas, this Court had directed to form a Committee, consisting of Director, Higher Education or any officer of the Education Department, not below the rank of Regional Deputy Director of Education as well as Registrar of the University and O.S.D., University in the office of the learned Chancellor as also one of the Members shall be deputed by the institution or the Secretary of the institution shall visit the site on 13.09.2025 at 11:00 A.M. and submit a report with



regard to the genuineness of the earlier inspection report dated 27.06.2025, after proper verification of the College, in question.

5. In deference to the order of this Court, a committee was duly constituted. However, it is informed to this Court that since the post of O.S.D. of the University was vacant and, as such, Under Secretary (Legal) and nominee of the Chancellor Secretariat were made a part of the Committee. The Committee inspected the College and submitted its report dated 19.09.2025. The relevant extract of the report, the copy of which has been marked as Annexure-A to the supplementary counter affidavit, is reproduced hereinbelow:-

“5. During the inspection, the Committee found the following facts on the ground:

(i) The college is presently conducting U.G. Courses in 20 subjects altogether (for 2024-28 session under CBCS) including in Physics, Chemistry, Zoology and Botany.

(ii) There exists a total of eleven rooms for conducting U.G. Courses in 20 subjects.

(iii) There did not exist any separate laboratory for Botany and Zoology and instead exists a Biology Laboratory which is required for I.Sc. Further, the Computer Lab was also not found to be satisfactory and as per the laid-down norms.



(iv) No Laboratory was found to have minimum equipments required for conducting the U.G. Courses in an affiliated college.

(v) The Library also did not have the number of books required for the U.G. Subjects and did not have the Accession Register.

(vi) The U.G. Courses and the Intermediate Courses appeared to being run on the same Premises and in the same Building.

(vii) The Principal of the B.S.S. Chandrakanta College, Udakishunganj did not produce the Acquittance Roll of the Teaching and Non-Teaching Staff Members on the rolls of the B.S.S. Chnadrakanta College, Udakishunganj and the Principal vouched this fact in writing which was taken on record (Annexure-1).

(viii) The B.S.S. Chandrakanta College, Udakishunganj authorities failed to produce any documentary material or evidence on the ground which could have shown compliance with the Affidavit submitted by the Secretary of the B.S.S. Chandrakanta College, Udakishunganj to the authorities of the BNMU, Madhepura while applying for affiliation for 2024-28 and 2025-29 sessions.

(ix) There was every tell-tale sign present on the ground that vouched the fact that the B.S.S. Chandrakanta College, Udakishunganj was simultaneously running both Intermediate and the U.G. Courses despite there being a complete ban



by the State Government w.e.f. 12.04.1990.

(x) The Committee also perused the Comprehensive Inspection Report (CIR) dated- 27.06.2025 submitted by the authorities of the BNMU, Madhepura and found no facts on ground during their inspection to controvert any of the findings of the CIR. Here it requires specific mention that the CIR was submitted pursuant to receipt of a number of sworn complaints submitted to the authorities of the Bhupendra Narayan Mandal University, Madhepura and District Magistrate, Madhepura which compelled the authorities of the Bhupendra Narayan Mandal University, Madhepura to ascertain facts on the ground and status of compliance of the categorical undertaking given by the authorities of the B.S.S. Chandrakanta College, Udakishunganj while applying for affiliation leading to **strictly conditional affiliation** for conducting the U.G. Courses for 2024-28 and 2025-29 Sessions.

(xi) The Secretary and the Principal of the B.S.S. Chandrakanta College, Udakishunganj failed to explain as to how they obtained affiliation initially for running Intermediate Courses in the Year 1994 despite the B.S.S. Chandrakanta College, Udakishunganj already having secured affiliation to run the U.G. Courses from 1992 to 1997 Sessions and there being a complete ban by the State Government on Intermediate Courses being conducted from the Premises of the U.G.



Colleges. This fact points to suppression of vital material facts by the authorities of the B.S.S. Chandrakanta College, Udakishunganj while applying for affiliation for U.G. Courses.”

6. Mr. Ashok Kumar Choudhary, learned Senior Advocate representing the petitioner submitted that even if it is admitted that various discrepancies and shortcomings have been shown in the inspection report, the institution undertakes that all these deficiencies shall be removed within six months and thereafter the petitioner may be allowed to file a fresh application for affiliation.

7. Mr. Ritesh Kumar, learned Advocate for the University and Mr. Mrigendra Kumar, learned Advocate for the State highlighting upon the inspection report have submitted that the contention of the petitioner has been found apparently false, on the face of it. It is unfortunate that the institution despite having acquainted with all the deficiencies and the shortcomings, which have been referred to in the last inspection report, it has forced the Court to get a fresh inspection done and thereby precious time of the Court and the higher officials have been wasted. Various allegations without any substance have been made against the higher officials, including the Vice-



Chancellor of the University. On account of the aforesaid reason, a prayer has been made to dismiss the writ petition with a cost.

8. Noticing the aforesaid facts, especially the inspection report, which speaks volume, as also the *malafide* attitude of the petitioner and the institution in question, this Court left with no option but to dismiss the writ petition with a cost of Rs.20,000/- (twenty thousand), which shall be deposited by the petitioner with the Patna High Court Legal Services Committee.

9. However, the petitioner-college shall be at liberty to approach the authority concerned, after removing all the deficiencies/shortcomings, for affiliation.

(Harish Kumar, J)

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