

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16740 of 2023

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Pramode Kumar Singh, S/o Raj Mangal Singh, resident of C/o Shiv Shakti Marbal House, Nagmatiya Road, P.O. - Gaya, District- Gaya, Presently residing at 595 Block- O, New Alipore S.O. Kolkata West Bengal, Presently Donar of Swami Dharnidhar College, Kushdihra, Paraiya, Gaya.

... .. Petitioner/s

Versus

1. The Magadh University Bodh-Gaya through its Vice Chancellor.
2. The Vice Chancellor, Magadh University, Bodh-Gaya.
3. The Registrar, Magadh University, Bodh-Gaya.
4. The Professor-in-Charge Swami Dharnidhar College, Kushdiha, Paraiya, Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Shashi Bhushan Singh, Adv.
For the M.U.	:	Mr. Faiz Ahmad, Adv.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

7 04-09-2025 Heard the parties.

2. The petitioner has approached this Court for the following reliefs:-

(I) For issuance of an appropriate writ in nature of Mandamus, to modify the Memo no. 144/GIIB/23 dated 05.08.2023 issued under the signature of respondent no. 3 to the extent that till constitution of regular Governing Body, no account operation ought to have made by the Joint signature of Respondent No.4 and would be Secretary of the Governing Body of College because in the grab of aforesaid letter of the university, contrary to Clause 3(ii) of statute 32, Educationist has been co-opted before



notification of Teacher Representative by the Magadh University and the respondent No.4 is ignoring the norms of section 60 of Bihar University Act read with Statute 32 in constitution of Governing Body, moreover, respondent no4 has made the institute as pocket institution and college fund is not being maintained in view of clause 22 of the Statute.

(II) For issuance of an appropriate writ in the nature of Certiorari for quashing the letter No. 87/23 dated 14.10.2023 by which date has been fixed for election of President and Secretary of the Committee which is not in consonance with clause-3 of Statute 32 because no meeting can be convened within 5 days, as earlier date for meeting was 14.10.2023 and next date is 19.10.2023 whereas the statute says the period within 21 days, such meeting can be convened it shows that the respondent no.4 is indulged in mal practices and to cover up the same he is in hurry to constitute a committee of yes men.

(III) For issuance of an appropriate writ in the nature of Mandamus Commanding and directing the respondent to constitute the Governing Body of Swami Dharnidhar College, Kushdihra, Paraiya, Gaya in view of provision contemplated in section 60 of Bihar University Act read with provisions of Statute 32.

(IV) For issuance of any other appropriate writ/writs, order/orders,



direction/directions for which the writ petitioner shall be found entitled under the facts and circumstances of the case.

3. Mr. Shashi Bhushan Singh, learned Advocate for the petitioner submitted that during the pendency of the writ petition subsequent development has taken place, which necessitated the petitioner to challenge Memo No. GIHA/127/24 dated 11.06.2024 and further the enquiry report dated 21.12.2024, by filing the interlocutory application bearing I.A. No. 1 and 2 of 2025 respectively.

4. Mr. Md. Faiz Ahmad, learned Advocate for the University, referring to the averment of the counter affidavit, at the outset, submitted that the petitioner has already filed an appeal under Section 9(4) of the Bihar State University Act and Statute, 1996 (as amended upto date) before the Hon'ble Chancellor for the redressal of some of the grievances.

5. Having considered the gamut of the facts, nature of the grievances as also the averments made in the writ petition and the counter affidavit, this Court thinks it apt and proper to dispose off the writ petition with a liberty to the petitioner to raise all the remaining grievances before the learned Chancellor of the University preferably within a period of 2 weeks from today, who is in seisin of the matter, by filing an appropriate



petition or supplementary memo of appeal.

6. It is expected that the learned Chancellor of the University shall consider all the claim of the petitioner and brought to its logical conclusion as expeditiously as possible within 8 weeks.

7. The writ petition stands disposed.

(Harish Kumar, J)

supratim/-

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