

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1229 of 2025

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Motihari Degree Evening College Motihari (East Champaran) through its Secretary Harishchandra Singh (Male), aged about 61 years, Son of Late Yamuna Singh, Resident of Village/Mohallal - Paigambarpur, P.S. - Ahiyapur, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department (Higher Education), Govt. of Bihar, New Secretariat, Patna.
2. The Principal Secretary, Education Department (Higher Education), Govt. of Bihar, New Secretariat, Patna.
3. The Deputy Secretary, Education Department (Higher Education) Govt. of Bihar, New Secretariat, Patna.
4. The Director, Education Department (Higher Education), Govt. of Bihar, New Secretariat, Patna.
5. Babasaheb Bhimrao Ambedkar Bihar University, Muzaffarpur through its Registrar.
6. The Vice Chancellor, Babasaheb Bhimrao Ambedkar Bihar University, Muzaffarpur.
7. The Registrar, Babasaheb Bhimrao Ambedkar Bihar University, Muzaffarpur.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 1234 of 2025

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Dhanraj Bhagat Degree College Mustafaganj, Meenapur, Muzaffarpur through its In-Charge Principal, Sunil Kumar (Male), aged about 37 years, Son of Madhusudan Prasad, Resident of Basudev Chhapra, P.S. - Meenapur, District - Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department (Higher Education), Govt. of Bihar, New Secretariat, Patna.
2. The Principal Secretary, Education Department (Higher Education), Govt. of Bihar, New Secretariat, Patna.
3. The Deputy Secretary, Education Department (Higher Education), Govt. of Bihar, New Secretariat, Patna.
4. The Director, Education Department (Higher Education), Govt. of Bihar, New Secretariat, Patna.
5. Babasaheb Bhimrao Ambedkar Bihar University, Muzaffarpur through its Registrar.



6. The Vice Chancellor, Babasaheb Bhimrao Ambedkar Bihar University, Muzaffarpur.
7. The Registrar, Babasaheb Bhimrao Ambedkar Bihar University, Muzaffarpur.

... .. Respondent/s

Appearance :

(In Civil Writ Jurisdiction Case No. 1229 of 2025)

For the Petitioner/s : Mr. Arun Kumar, Adv.

For the State : Mr. Ajay Bihari Sinha, Sr. Adv. GA-8

For the BRABU : Mr. Siddhartha Prasad, Adv.

Mr. Sunil Kumar, Adv.

(In Civil Writ Jurisdiction Case No. 1234 of 2025)

For the Petitioner/s : Mr. Arun Kumar, Adv.

For the State : Mr. Gyan Prakash Ojha, GA-7

For the State	:	Mr. Gyan Prakash Guna, S.
For the BRABU	:	Mr. Sriram Krishna, Adv.

Mr. Shashank Shekhar Kunwar, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

5 28-07-2026

C.W.J.C. No. 1229 of 2025

Heard learned Senior Advocate/Advocates appearing
on behalf of the respective parties.

2. At the outset, Mr. Arun Kumar, learned Advocate for the petitioner-college, submitted that during the pendency of the present writ petition, pursuant to the recommendation made by the Babasaheb Bhimrao Ambedkar Bihar University, the petitioner-college has been granted permanent affiliation under Section 21(2)(d) of the Bihar State Universities Act, 1976, with effect from the academic session 2025–2029 onwards. It is, however, submitted that Letter No. 700 dated 27.05.2025 issued by the State Government describes the approval as one for "temporary affiliation", which, according to the petitioner, is



contrary to law.

3. Learned Advocate for the petitioner contended that once the approval has been granted without prescribing any terminal period and is based upon the recommendation of the competent statutory authorities of the University, namely the Senate and the Syndicate, the same ought to be construed as approval for permanent affiliation and not temporary affiliation. It is further submitted that if the intention of the State Government had been to grant only temporary affiliation, the approval would necessarily have been confined to a specified period. Since no such limitation has been imposed, the approval must be treated as one for permanent affiliation. It is also pointed out that the University has categorically admitted that its recommendation was for grant of permanent affiliation.

4. The aforesaid contention has, however, been refuted by learned Senior Advocate appearing for the State, who submitted that Letter No. 700 dated 27.05.2025 does not indicate that permanent affiliation has been granted to the petitioner-college.

5. Learned Senior Advocate appearing for the State as well as learned Advocate for the University further submitted that the name of the petitioner-college shall be uploaded on the



Samarth Portal. It has also been stated that the earlier UMIS Portal has been discontinued pursuant to the directions issued by the office of the Hon'ble Chancellor.

6. Having considered the submissions advanced on behalf of the respective parties and considering the nature of the controversy involved, this Court directs the University to upload the name of the petitioner-college on the Samarth Portal, preferably within a period of ten (10) days from today.

7. This Court further observes that the State is required to clarify its stand as to whether an approval granted without prescribing any limiting period, and based upon the recommendation of the University for permanent affiliation, ought to be treated as approval for permanent affiliation or otherwise. For the aforesaid purpose, the petitioner-college shall approach Respondent No. 2, the Principal Secretary, Education Department, Government of Bihar, who shall examine the relevant records, including the recommendations made by the University, and clarify the legal position by passing a reasoned order, preferably within a period of two (2) weeks from the date of receipt/production of a copy of this order.

8. With the aforesaid observations and directions, the writ petition stands disposed of.



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9. Mr. Arun Kumar, learned Advocate appearing for the petitioner-college, submitted that during the pendency of the present writ petition, the State Government has granted approval for permanent affiliation to the petitioner-college. Consequently, the grievance raised in the present writ petition no longer survives and stands fully redressed.

10. Learned Advocate appearing for the State as well as the University do not dispute the aforesaid submission.

11. In view of the subsequent developments and the submissions advanced on behalf of the parties, no further adjudication is required in the present writ petition. Accordingly, the writ petition stands disposed of as having become infructuous.

(Harish Kumar, J)

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