

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5573 of 2026

Sathish Kumar Sharma son of late Vinay Sharma, R/O-village+P.O.-Sadya Bigha, District: Lakhisarai, Bihar and presently residing at B-405, Murlidhar, Valika, IAS Colony, Rupuspur, Bailey Road, Patna, Bihar.

... .. Petitioner/s

Versus

1. The Honble Chancellor of Universities, Bihar, Rajbhawan, Patna, through the Principal Secretary, Governor's Secretariat, Patna.
2. The Principal Secretary, Governor's Secretariat, Raj Bhawan Patna.
3. The State of Bihar, Through its Additional Chief Secretary, Department of Education, Government of Bihar, Patna.
4. The Aryabhatta Knowledge University through its Registrar, Mithapur, Patna.
5. The Vice-Chancellor, Aryabhatta Knowledge University, Mithapur, Patna.
6. Professor Sharad Kumar Yadav, Vice-Chancellor, Aryabhatta Knowledge University (AKU), University Campus, Mithapur, Patna-800001.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Shiv Pratap Palak, Advocate
For the Respondent/s	:	Mr. Mohit Agrawal, AC to AG
For the Chancellor	:	Mr. Amish Kumar, Advocate
For AKU	:	Mr. P.K. Verma, Sr. Advocate
		Dr. Anand Kumar, Advocate
		Ms. Tooba Hera, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA

ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 03-07-2026

The petitioner in the instant Letters Patent Appeal is aggrieved with the appointment of Respondent No. 6



(Professor Sharad Kumar Yadav) as the Vice-Chancellor of Aryabhatta Knowledge University, Patna. It is alleged in the petition that his appointment is *void ab initio* as the provisions of Section 2 (27) of the Aryabhatta Knowledge University (Amendment) Act, 2021 have been flouted.

2. The petitioner argues that, the appointee's academic background as a Professor of Veterinary Microbiology falls entirely outside the statutory definition and academic mandate of the specified "Professional Education" disciplines required for the University.

3. Heard counsel for the parties. Learned Counsel for the State-respondents have invited the attention of this Court to Annexure-P/6 (collectively) (page-56), wherein a communication has been made by the petitioner vide letter dated 07.07.2025 to the Governor of the State of Bihar, alleging therein that, there has been an abuse of the statutes of the concerned University during the appointment of the Respondent No. 6.

4. It is conceded by learned counsel for the petitioner that this grievance was put forth to the Hon'ble Governor of the State and is awaiting redressal.

5. In our considered view, there cannot be parallel proceedings one before the Hon'ble Governor and one before this Court on the same set of facts and same cause of action. Hence, in the facts and circumstances of the said matter, we are inclined to dispose of this matter with the observation



that the petitioner can approach the Court if he still aggrieved after the matter is determined by the Hon’ble Governor as Chancellor of the said University.

6. The writ petition is disposed of accordingly.

(Meenakshi Madan Rai, CJ)

(Soni Shrivastava, J)

devendra/-

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