

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8668 of 2026

Mithilesh Kumar Rai Son of Sri Bachu Rai, resident of Village Goura, P.S. Sohwal, District Ghazipur, State Uttar Pradesh, PIN Code 232328. Currently residing at H.N. 584, Block MI, hali mo. 10, Sangam Vihar, Delhi-110062.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Higher Education, Government of Bihar, Patna.
2. The Additional Chief Secretary, Department of Higher Education, Government of Bihar, Patna.
3. The Director, Higher Education, Government of Bihar, Patna.
4. Kameshwar Singh Darbhanga Sanskrit University, Darbhanga through its Registrar.
5. The Vice Chancellor, Kameshwar Singh Darbhanga Sanskrit University, Darbhanga.
6. The Registrar, Kameshwar Singh Darbhanga Sanskrit University, Darbhanga.
7. The Secretary, Governing Body, Rishi Kulashram Sanskrit Up-Shastri Mahavidyalaya, Sangrampur, East Champaran.
8. The Principal/Principal-in-Charge, Rishi Kulashram Sanskrit Up-Shastri Mahavidyalaya, Sangrampur, East Champaran.
9. Abhay Kant Tiwari @ Abhaykant Tiwari, presently functioning as Principal-in-Charge of Rishi Kulashram Sanskrit Up-Shastri Mahavidyalaya, Sangrampur, East Champaran, and connected with Janaki Sanskrit Up-Shastri Mahavidyalaya, Narkatiaganj, West Champaran.

... .. Respondent/s

Appearance :

For the Petitioner	:	Mr. Gaurav Kumar, Advocate
For the State	:	Mr. S.C.1

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

2 23-06-2026 Heard the learned counsel for the petitioner, the learned counsel for the State as well as the learned counsel appearing on behalf of the University.

2. The petitioner has filed the present writ petition for quashing the order dated 30.03.2026, issued under the signature



of the Secretary, Governing Body, Rishi Kulashram Sanskrit Up-Shastri College, Sangrampur, East Champaran, which is an affiliated unit of Kameshwar Singh Darbhanga Sanskrit University, Darbhanga and the consequential reliefs, which have been prayed for by the petitioner, are either related to the Governing Body or the private respondent no.9. The petitioner has not prayed for any relief against the State or the University.

3. It is settled law that writ is only maintainable against State or its instrumentalities and the college in question is not a State within the meaning of Article 12 of the Constitution of India. The Hon'ble Full Bench of this Court in a judgment reported in 1987 BLJR 823 has already decided that writ petition is not maintainable in service matter against an affiliated college/school.

4. Accordingly, the present writ petition is dismissed on account of its maintainability.

(Ritesh Kumar, J.)

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