

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11867 of 2025

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Pramod Prasad Son of Vindeshwar Yadav, Resident of village- Achhua, Police Station - Dulhin Bazar, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Education, Government of Bihar, Patna.
2. The Additional Chief Secretary, Department of Education, Government of Bihar, Patna.
3. The Director, Higher Education, Department of Education, Government of Bihar, Patna.
4. The Registrar, Magadh University, Bodh Gaya at Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sarva Deo Singh, Adv. Mr. Sanjay Kumar, Adv.
For the Respondent/s	:	Mr. Government Pleader (19)
For the M.U.	:	Mr. Om Prakash Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

4 22-01-2026 Heard the parties.

2. The principal of the college sought a direction seeking modification of the order contained in memo no. 2294 dated 28.05.2025 to the extent by which the State Government, Department of Education has granted temporary affiliation for the session 2025-29 and 2026-30 in different subjects of Arts and Science at honors level.

3. This Court takes note of the fact that the college was established in the year 2011 and on being found fulfilling all the terms and condition, was granted affiliation for the



session 2021-24. While granting the affiliation, the State has directed the University to make recommendation for permanent affiliation, in case the college in question fulfills the condition of permanent affiliation. The University in response thereto, after proper inspection, on being satisfied that the college fulfills all the requirement for permanent affiliation, made a recommendation after getting approval of the Senate under memo no. 217 dated 19.03.2025. Notwithstanding the aforesaid fact, the State Government, in the Department of Education, has extended temporary affiliation to the college in question, which gave cause of action in favour of the petitioner, who preferred the present writ petition.

4. A counter affidavit has been filed on behalf of respondent no. 1, 2 and 3. It is submitted that the proposal of the University and documents attached thereto as per the checklist, were examined by the State Government and on being found from perusal of clause 9 and 10 of the said checklist that the evidence regarding viability of the college and source of income of the college for payment to its employee is not available alongwith the recommendation of the University, accorded approval for grant of temporary affiliation in different subjects of Arts and Science for session 2025-29 and 2026-30 vide letter



no. 2294 dated 28.05.2025. It has also been apprised to this Court that as per the National Education of Policy, four years degree course has been implemented in the State of Bihar and accordingly the college is also required to modify its infrastructure. Taking into consideration the aforesaid fact, the State Government approved the proposal of the University and granted temporary affiliation.

5. Mr. Sarva Deo Singh, learned Advocate for the petitioner has refuted the aforesaid contention and submitted that all the necessary documents including the documents as has been pointed out in clause 9 and 10 of the checklist were furnished to the University and as instructed, the same were sent to the authorities of the State; nonetheless, the petitioner's college have been denied permanent affiliation. However, he submits before this Court that if this is the reason for not granting the permanent affiliation, the petitioner is always ready to submit the necessary documents as required and noted in the clause 9 and 10 of the checklist.

6. In view of the submissions advanced by learned Advocate for the respective parties and on perusal of the material, this Court grants liberty to the petitioner to approach before the respondent no. 3 alongwith all the necessary



documents, as pointed out in the checklist, besides other necessary requisite documents, preferably within a period of four weeks from today.

7. In case the petitioner submits an application alongwith the order of this Court with the requisite documents, the respondent no. 3 shall consider the same and pass appropriate order with regard to permanent affiliation of the college in question, within a further period of four weeks', if the college otherwise fulfills the condition.

8. The writ petition stands disposed off.

(Harish Kumar, J)

supratim/-

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