

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20746 of 2025

Dr. Hemant Kumar @ Hemant Kumar, Son of Late Tanuk Lal Yadav, Resident of Village Malhanma, Babhanganwa, Post- Malhanma, P.S.- Triveniganj, District- Supaul. Presently posted as Principal in Anuplal Yadav Mahavidyalaya, Triveniganj, Supaul, Bihar affiliated under Bhupendra Narayan Mandal University, Madhepura, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, 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 Principal Secretary, Finance Department, Government of Bihar, Old Secretariat, Patna.
5. The Bihar State Education Finance Corporation Ltd. through its Managing Director, Secretariat Annexe Building, Block No. 3, Ground Floor, Old Secretariat, Patna, Bihar.
6. The Managing Director, Bihar State Education Finance Corporation Ltd., Secretariat Annexe Building, Block No. 3, Ground Floor, Old Secretariat, Patna, Bihar.
7. The District Magistrate, Supaul, District- Supaul.
8. The Sub-Divisional-Officer, Triveniganj, Supaul, District- Supaul.
9. The Hon'ble, Chancellor of Universities, Bihar, Patna.
10. The Vice-Chancellor, Bhupendra Narayan Mandal University, Madhepura, Bihar.
11. The Registrar, Bhupendra Narayan Mandal University, Madhepura.
12. The Finance Officer, Bhupendra Narayan Mandal University, Madhepura.
13. Dr. Jaydev Prasad Yadav, Son of Late Krityanand Yadav, Resident of Village- Raghunathpur, Post- Bhargama, P.S- Bhargama, District-Araria, Bihar. Presently residing at Mohalla Pattarghatti, near Vishwakarma Chowk, General High School Road, Ward No. 4 and 5, P.O.and P.S.- Triveniganj, District- Supaul, Bihar. Retired Principal of Anuplal Yadav Mahavidyalaya, Triveniganj, Supaul Bihar, affiliated under Bhupendra Narayan Mandal University, Madhepura, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Nityanand Mishra, Adv. Mr. Alok Abhinav, Adv. Ms. Diksha Kumari, Adv.
For the Respondent/s	:	Mr. Anant Pd. Singh, SC-15 Mrs. Deepika Sharma, AC to SC-15



For the BSEFCL : Mr. Kumar Ravish, Adv.
Mr. Rohit Kumar, Adv.
Mr. Ayush Kumar, Adv.
For the University : Mr. Md. Nadim Seraj, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 31-01-2026 Heard the parties.

2. The petitioner is claiming to be Principal of Anup Lal Yadav Mahavidyalaya, Triveniganj, Supaul duly affiliated under B N Mandal University, Madhepura has approached this Court seeking a direction upon the respondents especially respondent no. 13 to immediately return/restore/refund the entire defalcated amount of Student Credit Card Funds, which was duly sanctioned by the Bihar State Education Finance Corporation Limited in favour of the student of the College, in question, for Session 2022-2023 to 2024-2025.

3. Learned Advocate for the University made a preliminary objection with regard to maintainability of the writ petition and submits at the bar that no writ petition would lie against the respondent no. 13, a retired employee against whom there is an allegation of defalcation while holding the post of Principal of the College for the period from September, 2012 to 31st of May, 2025.

4. This Court finds substance in the submission of learned Advocate for the University and is of the opinion that



the present writ petition is not maintainable, for the reasons
aforenoted.

5. However, at this juncture, learned Advocate for the
petitioner submits that the petitioner for redressal of the
grievance has also approached before all the authorities,
including the Vice-Chancellor/Registrar of the University, but
no decision has been taken.

6. Having considered the submissions advanced by
learned Advocate for the respective parties, the present writ
petition stands consigned with a liberty to the petitioner to
pursue his representation, the copy of which is marked as
Annexures 4 and 5 series to the writ petition.

(Harish Kumar, J)

shivank/-

U			
---	--	--	--

