

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
(CIVIL WRIT JURISDICTION)**

**C.W.J.C. No. \_\_\_\_\_ of 2022**

**Anant Kumar Srivastava .....Petitioner**

**VERSUS**

**The State of Bihar & others .....Respondents**

**INDEX**

**SUBJECT- PUBLIC INTEREST LITIGATION**

<b><u>SL. NO.</u></b>	<b><u>PARTICULARS</u></b>	<b><u>PAGE NO.</u></b>
1.	Synopsis & Writ Petition	01 - 1
2.	Annexure – 1 – Copy of news item dt.27.2.22	
3.	Annexure – 2 - Copy of representations	
4.	Vakaltnama	

**IN THE HIGH COURT OF JUDICATURE AT PATNA****( Civil Writ Jurisdiction )****C.W.J.C. No. \_\_\_\_\_ of 2022**

In the matter of an application under article 226 of the Constitution of India.

And

In the matter of

Anant Kumar Srivastava, aged about 50 Yrs. Male, Son of Late Akhileshwar Prasad Srivastava, Resident of "Anantayan", Chhatrdhari Bazar, Near Hospital Chowk Chhapra, P.S.- Chhapra, District- Saran (Chhapra).

.....Petitioner

Versus

1. The State of Bihar through Principal Secretary, Education Department, Government of Bihar, Patna
2. The Office of the Chancellor of the Universities, Bihar, Patna.
3. The Magadh University, Bodh Gaya Through its Registrar
4. The Vice Chancellor, Magadh University, Bodh Gaya Gaya (Bihar)

4. The Registrar, Magadh University, Bodh Gaya (Gaya).
5. The Examination Controller, Magadh University, Bodh Gaya, (Gaya)

.....Respondents

To,

The Hon'ble Mr. Justice Sanjay Karol, the Chief Justice of the High Court of Judicature at Patna and his companion Justices of the said Hon'ble Court.

Humble petition on behalf of the petitioner above named.

**MOST RESPECTFULLY SHEWETH: -**

1. That this Public Interest Litigation is being filed for issuance of appropriate writ(s), order(s), direction(s) commanding upon the respondents to appoint permanent Vice Chancellor and Registrar in Magadh University Bodh Gaya and for a direction to the authorities of the Magadh University Bodh Gaya to provide the Degrees to the students for their completed courses within prescribed time.

And/Or

for any other order(s), direction(s) which may deem fit and proper in the facts and circumstances of the case.

2. That the substantial questions of law involved in the case are to the effect:
  - i. Whether the students of the Universities can be denied to get their degree and other certificates only on the ground of nonappointment of permanent Vice Chancellor and Registrar?
  - ii. Whether the non appointment of regular Vice Chancellor and Registrar in the Magadh University has caused to large scale irregularities by the present incumbents?
  - iii. Whether non appointment is hampering the rights of the students and affecting their career because of inaction by the Respondent university?
  - iv. Whether the office of the Hon'ble Chancellor ought to have taken care in appointing persons on additional charge especially when criminal charges have been framed against them?
  - v. Whether the students of Magadh University be allowed to suffer on account of non-functioning of Vice-Chancellor and Registrar in regular manner?
3. That the petitioner is citizen of India and residing within territorial jurisdiction of this Hon'ble court and is a social activist and has no direct or indirect interest in filing this public interest Litigation.
4. That the regular Vice-Chancellor of the Magadh University namely Dr. Rajendra Prasad is on leave since long on the ground of illness however he is an accused in SUV

case no. 02 of 2021 lodged for offences under section 120 B, 420 of the I.P.C. r/w section 12 r/wn13(2), r/w 13(1)(b) of P.C Act and as he has not been granted bail he cannot join his duty while the Registrar has been removed from his post since he is in judicial custody in the aforesaid case.

5. That in view of the aforesaid situation the vice-chancellor of the Patliputra University, Patna Prof. R.K. Singh was given Additional Charge of the Vice-Chancellor of the Magadh University, Bodh Gaya and Prof. Dr. Ravi Prakash Babloo, the Registrar of the J.P. University Chhapra was given Additional charge of Registrar of Magadh University.

6. That as both the Vice-Chancellor as well as Registrar are on additional charge at Magadh University the regular work of issuance of degree and other administrative work is being hampered as both the Vice-Chancellor and Registrar rarely visit their respective offices at the University causing incense hardship to the students at large.

7. That the staffs including Examination Controller and others have to frequently travel to Patna and Chhapra with the files and other related works for its perusal, approval and necessary directions.

8. That apart from the fact that a huge amount of public money is being wasted in conveyance for carrying out day to day work it is also causing delay in getting files signed by the respective authorities who are busy in their regular University's work.

9. That in absence of a regular Vice-Chancellor and Registrar the students of the University have to wait for months to get their degree as the same are not being signed by the authorities on regular basis.

10. That apart from several difficulties the students who have already completed their degree courses in different sessions are facing hardship in getting their final degrees. For the reason of delay in issuance of certificates the students are losing their opportunities of being eligible for appointment on several posts.

11. That even after completion of all the formalities for issuance of the Degree certificates more than thousands of the degrees are pending for signature of the Vice-Chancellor.

12. That the report of the non-providing the degrees to the students of the University has been highlighted by the print as well as electronic media several times. Petitioner is placing one of the paper cutting dated 27.02.2022 published in daily Hindi newspaper Prabhat Khabar in its Patna edition.

One of the Copy of said news item dated 27.02.2022 is being annexed as Annexure-1 to this application.

13. That it is relevant to state here that the person who is working as Vice-Chancellor on additional basis in the Magadh University is not having experience of 10 years of working as Professor which is a mandatory requirement for appointment on the post of Vice-Chancellor.

14. That it is humbly submitted that the present in-charge Vice-Chancellor has been appointed ignoring the aforesaid experience despite having a regular Pro Vice-Chancellor in the University.

15. That the person at present holding the additional post of Registrar namely Dr. Ravi Prakash Babloo has a chequered history who has been charge sheeted in four criminal cases earlier related to corruption charges as Conveynor, University Development Council in which Government has also granted sanction for prosecution.

16. That appointing the person with a dubious background on the key post of the Magadh University has also paralyzed the Administration of the Magadh University.

17. That it is relevant to state here that even the J.P. University regular appointment of Registrar, Dr. Ravi Prakash Babloo at Chhapra was objected at large scale and people through a social activist had also written to the Hon'ble Chancellor, Universities of Bihar highlighting about the corruption charges against him and appointing such person despite the fact that the University in one such case against the said Registrar and others had opined that he should not be assigned any administrative responsibility nor would be nominated/select/appointed to any statutory body/Committee of the University till the pendency of that case in the high court.

A Copy of such representations is annexed herewith and marked as Annexure-2

18. That appointing such person, on additional charge at Magadh University, who has corruption charges against him and who is also not performing his duty in regular manner causing delay in carrying out day to day work is lending a bad name to the University and causing hardships to students in general.

19. That the Vice-Chancellor and Registrar appointed on additional basis occasionally visits the University office and they always call the officials of university at their permanent place of posting which bears heavy cost to Government exchequers.

20. That from perusal of the news report dated 27.02.2022 it is apparently clear that students of the University are facing hardships in getting their degree certificates even after completion of their courses and completion of all the formalities for obtaining the same.

21. That due to non appointment of the Vice-Chancellor and Registrar for the Magadh University, Bodh Gaya on permanent basis by the office of the Hon'ble Chancellor of the University the students at large are suffering and the administration of Magadh University is being hampered.

22. That there is no other alternative and efficacious remedy available to the petitioner to invoke this extraordinary jurisdiction by way of Public Interest Litigation.



23. That the petitioner has filed no other Public Interest Litigation application before this Hon'ble court earlier in this regard.

It is therefore prayed that your Lordships may graciously be pleased to issue appropriate writ(s), order(s), direction(s) to the respondents to show-cause as to why the reliefs sought in Para - 1 of this writ application be not allowed.

And

Upon causes if any being shown, after hearing the counsel for the petitioner be further pleased to make the writ and the rule absolute.

And / Or

Pass such other or further order or orders as deem fit and proper.

And for this the petitioner shall ever pray.