

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.10019 of 2014

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1. Parasnath Singh, son of Late Nag Narayan Singh, Resident of Village Harakhbara, P.S.- Pakri Dayal, District- East Champaran, Motihari
 2. Mansoor Alam, Son of Waliul Haque, Resident of Village- Chaita, P.S.- Pakri Dayal, District- East Champaran, Motihari

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Human Resources, Bihar, Patna
2. The Secretary, Department of Human Resources (Higher Education), Government of Bihar, Patna
3. The Additional Secretary, Department of Human Resources (Higher Education), Government of Bihar, Patna
4. Baba Saheb Bhim Rao Ambedkar Bihar University (in short the B.R.A.B. University), Muzaffarpur through its Registrar
5. The Vice-Chancellor, B.R.A.B. University, Muzaffarpur
6. The Registrar, B.R.A.B. University, Muzaffarpur

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shakti Suman Kumar
For the State : Mr. AAG3-Roy Shivaji Nath
For the University : Mr Dhruva Mukherjee, Sr. Advocate

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 07-04-2015

There are many a reasons why the Court comes to a considered opinion that a holistic and complete view of facts was either not considered or placed before the Principal Secretary, Department of Education, Government of Bihar in the so-called speaking order dated 18.3.2014 contained in Annexure- 1. That is a good ground of quashing Annexure- 11 and allowing the writ application with a direction that the new Principal Secretary shall consider all the materials and evidence, which have been brought on

record by the petitioner by way of reply to the counter affidavit of the State and which has been certified to be authentic by the University.

It is also the stand of the University evident from their counter affidavit that after due verification recommendation of the claim of the petitioner was made to the State Government but for reasons best known it was ignored and the impugned order has been passed.

The writ application, therefore, is allowed with a direction upon the Principal Secretary, Education to consider the matter afresh by taking into consideration all the materials, which have been compiled by the petitioner in reply to the counter affidavit of the State. Decision ought to be taken within a period of three months from the date of production of a coy of this order.

(Ajay Kumar Tripathi, J)

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