

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7094 of 2015

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1. Jai Shankar Prasad Singh S/o Late Jainath Singh Lecturer, Department of Geography, Shershah College, Sasaram, P.S. Town, District Rohtas at Sasaram.
 2. Birendra Prasad Singh S/o Late Ram Bhawakal Singh Lecturer, Department of Ancient Indian and Asian Studies, Shershah College, Sasaram, P.S. Town, District Rohtas at Sasaram.
 3. Radha Mohan Singh S/o Ram Kumar Singh Lecturer, Department of Economics, Shershah College, Sasaram, P.S. Town, District Rohtas at Sasaram.
 4. Arun Kumar S/o Late Jeet Narayan Singh Lecturer, Department of Sociology, Shershah College, Sasaram, P.S. Town, District Rohtas at Sasaram.
 5. Hari Krishna Singh S/o Ram Barai Singh Lecturer, Department of History, Shershah College, Sasaram, P.S. Town, District Rohtas at Sasaram.
 6. Sheshnath Singh S/o Late Ram Dayal Singh Lecturer, Department of Hindi, Shershah College, Sasaram, P.S. Town, District Rohtas at Sasaram.
 7. Raj Bansh Singh S/o Bachan Singh Lecturer, Department of Sociology, Shershah College, Sasaram, P.S. Town, District Rohtas at Sasaram.
 8. Krishnan Mohan Srivastava S/o Late Uma Shankar Srivastava Lecturer, Department of Chemistry, Shershah College, Sasaram, P.S. Town, District Rohtas at Sasaram.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Director, Higher Education Department, Government of Bihar, Patna.
4. Veer Kuwar Singh University, Ara through its Registrar.
5. The Vice-Chancellor, Veer Kuwar Singh University, Ara.
6. The Registrar, Veer Kuwar Singh University, Ara.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh
For the Respondent State: Mr. GP7- D.K. PRASAD
For the University : Mr. Sarva Deo Singh

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 10-09-2015

Petitioners are assailing Annexure-1 dated 25.09.2014

which is the order of the Director, Higher Education, Government of

Bihar and Notification of the University contained in Annexure-2

which is said to be based on Annexure-1, the order of the Director, as well as Annexure-3 dated 15.11.2014.

Stand of the petitioners is that in an identical situation and position this Court had occasion to deal with the matter in the case of Ram Pravesh Rai and others Vs. State of Bihar through the Director, Higher Education. Matter was examined after hearing the parties and such a decision of the Director was set aside for the reasons indicated therein. The facts and the ratio of the said decision, according to the counsel for the petitioners, apply in toto.

The University has taken a plea that they have gone by the decision and the direction of the Director and they do not have any discretion in such matter. State has not filed any counter affidavit so far.

However, taking into consideration the issue raised and what has already been adjudicated in the case of Ram Pravesh Rai, which is reported in 2015(3) PLJR 805, writ application is allowed and Annexures 1, 2 and 3 are quashed.

(Ajay Kumar Tripathi, J)

R.K.Pathak/-

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