

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.680 of 2015

Arising out of

Miscellaneous Jurisdiction Case No. 4940 of 2013

Arising out of

Civil Writ Jurisdiction Case No.10645 of 2013

Along with

Interlocutory Application No.2885 of 2015



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1. The Chanakya National Law University, Nyaya Nagar, Mithapur, Patna-800001, through its Registrar Surendra Prasad Singh (correct name being Suresh Prasad Singh).
 2. Dr. Prof. A. Lakshiminath, Vice Chancellor, Chanakya National Law University, Nyaya Nagar, Mithapur, Patna.
 3. Mr. Surendra Prasad Singh, (correct name being Suresh Prasad Singh) Registrar, Chanakya National Law University, Nyaya Nagar, Mithapur, Patna.
 4. Dr. Prof. Ajay Kumar, the Controller of Examinations, Chanakya National Law University, Nyaya Nagar, Mithapur, Patna.

.... Opposite Parties- Appellant/s

Versus

1. Deepak Kumar Singh @ Deepak Kumar @ Banti, son of Prof. Indra Kumar Sinha, resident of - Shivpuri Colony, Katari Hill Road, P.S. Chandauti, District-Gaya.

... Petitioner-Respondent.

2. The State of Bihar

.... Opposite Party- Respondent/s

Appearance :

For the Appellant/s : Mr. Piyush Lall, Advocate

For the Respondent/s :

CORAM: HONOURABLE MR. JUSTICE HEMANT GUPTA

And

HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE HEMANT GUPTA)

Date: 15-07-2016

Re.: Interlocutory Application No.2885 of 2015

The application is for condonation of delay of 143 days in filing of the present Letters Patent Appeal.

2. For the reasons mentioned in the application, we find that sufficient cause is made out for condonation of delay. Consequently, we condone the delay in filing of the present Letters Patent Appeal.

3. Interlocutory Application stands allowed accordingly.

Re.: Letters Patent Appeal No.680 of 2015

The order dated 22nd November, 2013 in M.J.C. No.4940 of 2013 is subject matter of challenge in the present Letters Patent Appeal.

2. Learned counsel for the appellants fairly points out that the writ petitioner-respondent has since passed out all the semesters and is no longer on the rolls of the University, but he contends that the directions issued by the Contempt Court, which are in addition to the directions passed by the learned Single Bench, is without jurisdiction. It is also contended that even the direction of the learned Single Judge to permit the writ petitioner-respondent to appear in the semester's examination without attending any class is against the Statutory provisions.

3. Since the student has passed out, we do not wish to

examine the contentions raised. However, we have reservations of the orders passed by the learned Single Bench in the writ petition (CWJC No.10645 of 2013) as well as in MJC No.4940 of 2013. Therefore, such orders will not be treated to be of any binding precedents.

4. With such observations, the Letters Patent Appeal is disposed of.

(Hemant Gupta, J.)

(Ahsanuddin Amanullah, J.)

Sunil/-

AFR/NAFR	
CAV DATE	N. A.
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