

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19870 of 2014

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1. Dinesh Kumar Singh S/o- Late Radhe Shyam Singh, resident of village- Ojhawaliya, P.O.- Laharabad, P.S.- Piro, Distt.- Bhojpur, presently posted as a Physical Traind Instructor (P.T.I.) Anjabit Singh College Bikramganj (A.S. College Bikramganj), Distt. Rohtas, a constituent unit of Veer Kumar Singh University Area (Bhojpur, Bihar)

.... Petitioner

Versus

1. The State of Bihar
2. The Director, Higher Education Bihar at Patna
3. The Chancellor, Bihar at Patna
4. The Vice Chancellor, Veer Kunwar Singh University Ara, Distt.- Ara (Bhojpur)
5. The Registrar, Veer Kunwar Singh University Ara, Distt.- Ara (Bhojpur)

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Mahendra Thakur

For the Respondent/s : Mr. Dipak Kumar, AC to GA 10

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH

ORAL ORDER

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

4 29-01-2016 Heard Mr. Mahendra Thakur, learned counsel for the petitioner, and Mr. Dipak Kumar, learned AC to GA 10, appearing for the State-respondents. Heard also Mr. Kinkar Kumar, learned counsel for respondent Nos. 4 and 5, and Mr. Sunil Kumar Singh, learned counsel for the interveners.

I.A.No. 767 of 2016:

Learned counsel for the interveners seeks permission to withdraw this interlocutory application with liberty to approach

this Court with appropriate application, in future, if so advised.

To the submissions so made, no objection has been raised on behalf of the respondents.

In view of the above and in the interest of justice, this interlocutory application (I.A.No. 767 of 2016) is hereby disposed of as withdrawn with liberty to approach this Court with appropriate application, in future, if so advised.

This writ petition is made, under Article 226 of the Constitution of India, in the nature of Public Interest Litigation, seeking following reliefs:

For declaration of the strike to be illegal of the non-teaching employee of Veer Kuwar Singh University, Ara.

For direction to the respondent authority not to pay the salary of the non-teaching staff of the University in any manner or in any way of the strike period.

For direction to the respondent authority not to adjust the strike period in any sanctioned leave period of the non-teaching employee of the university.

For any other appropriate writ/writs, direction/directions/order/orders as this Hon'ble Court thinks fit and proper in the facts and circumstances of this case.



Pursuant to the notices issued, respondent No.5, namely, Registrar, Veer Kunwar Singh University, has filed counter, which shows that an urgent meeting of the officers of the University headed by the Vice Chancellor of Veer Kunwar Singh University, was held on 14.01.2016, where a resolution has been adopted for ensuring, *inter alia*, that loss of academic sessions on account of strike by the non-teaching employee will be compensated by arranging extra classes in the Colleges and University departments and the University will also ensure that the interest of the students and the functioning of the colleges and the University will be safeguarded. The proceedings of the meeting stand annexed as Annexure-A to the counter affidavit.

In view of the resolutions adopted by the respondent University, we are of the view that at this stage no further direction is called for.

In view of the above and in the interest of justice, this writ application shall stand disposed of.

(I.A. Ansari, ACJ)

(Chakradhari Sharan Singh, J)

A.I./-

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