

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.1138 of 2016
Arising out of
Civil Writ Jurisdiction Case No. 6623 of 2011**

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Binod Kumar Singh son of late Gaya Singh, resident of village Debria Kothi, P.S.
Paru, District Muzaffarpur

.... Petitioner / Appellant

Versus

1. B. R. A. Bihar University through the Vice Chancellor, B. R. A. Bihar University, Muzaffarpur
2. Registrar, B. R. A. Bihar University, Muzaffarpur
3. Principal, Rambriksha Benipuri Mahila College, Muzaffarpur

.... Respondents / Respondents.

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Appearance:

For the Appellant/s : Mr. Banwari Sharma,
Mr. Shiv Kumar and
Mr. Sahjanand Sharma, Advocates.
For the Respondents-Univ.: Mr. Vikas Ratan Bharti, Advocate.

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**CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE SUDHIR SINGH**

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 25-04-2017

Having heard learned counsels for the parties, we are of the considered view that based on the materials that were available in the record of the Writ Petition the Writ Court has not committed any error in deciding the Writ Petition in the manner done by the impugned order passed on 12.04.2016 in CWJC No. 6623 of 2011. The learned Writ Court refused to interfere into the matter on the ground that the evidence and material to show that the petitioner discharged duties after 1994 was not be available.

However, even after disposal of the Writ Petition the



petitioner files a detailed representation along with evidence and material before the competent authority of the University and is able to establish that the petitioner was working after 1994 and thereafter salary was not paid to him.

It would be for the University to examine the material that is produced by the petitioner and decide the representation of the petitioner in accordance with law by a speaking order.

With the aforesaid liberty to the petitioner, we dispose of this appeal.

(Rajendra Menon, CJ)

Dilip, AR

(Sudhir Singh, J)

AFR/NAFR	NAFR
CAV DATE	N/A
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