

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1079 of 2015

IN

Civil Writ Jurisdiction Case No. 15445 of 2008

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Saugato Roy, aged about 37 years, Son of Late Kishore Kumar Roy, resident of Mohalla- C/O Subir Kumar Roy, Hill View Compound, Near V.C. Resident, Police Station- Rampur, District- Gaya.

.... Appellant / Petitioner

Versus

1. The State of Bihar through the Secretary High Education (Human Resources Development Department) Bihar, Patna.
2. The Vice-Chancellor Magadh University, Bodh Gaya, District- Gaya.
3. The Registrar, Magadh University, Bodh Gaya, District- Gaya.
4. The Finance Officer, Magadh University, Bodh Gaya, District- Gaya.
5. The Principal, Gaya College, Gaya, District - Gaya.

.... Respondents / Respondents.

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Appearance:

For the Appellant/s : Mr. Virendra Prasad, Advocate.

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date: 02-08-2017

By the impugned order dated 15.01.2015 the ball is in the court of the appellant. This Court fails to understand as to why there should be resistance on the part of the appellant not to establish his *bona fide* of being the sole legal heir who is entitled to settlement of dues of the so-called father.

Learned Single Judge has been more than indulgent by providing a window of opportunity for begetting the benefit. Taking even that cannot be done by the appellant, the Court cannot bail him



out by giving him an open handed order to settle the dues in his
favour in the circumstance.

The appeal is dismissed.

(Ajay Kumar Tripathi, J)

(Rajeev Ranjan Prasad, J)

Dilip, AR

AFR/NAFR	NAFR
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