

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.378 of 2016
IN
Civil Writ Jurisdiction Case No. 11963 of 2015**

- =====
1. Rajeshwar Prasad, son of Late Lal Prasad, Resident of village- Kopa Khurd, P.O. + P.S.- Naubatpur, District- Patna.
 2. Udai Dubey, Son of Late Ramjanam Dubey, Resident of Village- Gangachak, P.O. + P.S.- Bikram, District- Patna.
 3. Sadanand Paswan, Son of Late Ramnandan Paswan, Resident of village- Koriyawan, P.O.- Hansadih, P.S.- Masaurhi, District- Patna.
 4. Shatrughan Tiwari, son of Late Tapeswar Tiwari, Resident of Village- Gangachak, P.O. + P.S.- Bikram, District- Patna, Bihar.

.... Petitioners-Appellant/s

Versus

1. The State of Bihar.
2. The Chief Secretary, Govt. of Bihar, Patna.
3. The Principal Secretary, Higher Education, Govt. of Bihar, Patna.
4. The Director, Higher Education, Govt. of Bihar, Patna.
5. The Vice-Chancellor, Magadh University, Govt. of Bihar, Patna.
6. The Registrar, Magadh University, Bodh-Gaya, Govt. of Bihar, Patna.
7. The Principal B.S. College, Danapur, Govt. of Bihar, Patna.

.... Respondents-Respondent/s

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Appearance :

For the Appellant/s : Mr. Ranjeet Tiwary, Advocate
For the Respondent/s :

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CORAM: HONOURABLE THE CHIEF JUSTICE

And

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 07-04-2017

Re.: Interlocutory Application No.1590 of 2016

The delay in filing of this Appeal is condoned.



Re. : Letters Patent Appeal No.378 of 2016

Seeking exception to an order dated 06.08.2015 passed by the Writ Court in CWJC No.11963 of 2015, this Appeal has been filed under Clause X of the Letters Patent.

Petitioners' services were terminated way back in the year 1984 along with many other persons. The petitioners kept quiet and were satisfied by representing to the Department whereas the other aggrieved persons invoked the jurisdiction of this Court and, their petitions were decided in the year 1985. Subsequently, the matter travelled to the Supreme Court and finally in the year 1988, based on orders passed, these persons were granted benefit. *Inter alia* contending that as similarly situated persons have been granted benefit and further pointed out that Sri Dilip Kumar Rakesh, Suryadeo Singh, Chaitali Sinha, Chandeshwar Singh and Ramakant Prasad Singh have been granted benefit and similar benefits should be granted to the petitioners, the writ petition was filed in the year 2015. The learned Writ Court after evaluating each and every aspects of the matter came to the conclusion that the petitioners have been slept over the matter, therefore, no indulgence can be made now after such a long period of time and dismissed the writ petition by citing various reasons. On going through the same, we find no error in the order passed by the learned Writ Court warranting



reconsideration. The appeal is dismissed.

(Rajendra Menon, CJ)

(Sudhir Singh, J)

Sunil/-

AFR/NAFR	N.A.F.R.
CAV DATE	N. A.
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