

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1432 of 2016

In
Civil Writ Jurisdiction Case No.3178 of 2014

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1. The State of Bihar through Principal Secretary, Education Department, Government of Bihar, Patna.
 2. The Principal Secretary, Education Department, Government of Bihar, Patna.

... .. Respondents-Appellant/s

Versus

1. Braj Kishore Tiwary, Son of Shri Trigunanand Tiwary, resident of village - Basdila, P.O. and P.S. Kopa, District - Saran, Bihar.
- Petitioner/Respondent
2. The Vice Chancellor, Kameshwar Singh Darbhanga Sanskrit University, Darbhanga.
3. The Registrar, Kameshwar Singh Darbhanga Sanskrit University, Darbhanga
4. The Principal, Bharat Mishra Sanskrit College, Chapra, District – Saran.

... .. Respondents-Respondent/s

Appearance :

For the Appellant/s :	Mr. Shankar Kr. Thakur, Advocate AC to G.P. 27
For the Respondent No.1:	Mr. Ashok Kumar Mishra, Advocate
For the Respondent No.4:	Mr. Sanjay Parasmani, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 15-11-2017

Re.: Interlocutory Application No.5330 of 2016

Delay of 86 days in filing of the Letters Patent Appeal is condoned.

Interlocutory Application stands allowed and disposed of.

Re.: Letters Patent Appeal No.1432 of 2016

This is an appeal filed by the State Government and the learned Writ Court has primarily interfered with the order as the



Principal Secretary of the Department has acted in excess of the jurisdiction available with him. In view of the admitted position, we see no reason to interfere into the matter. The Principal Secretary of the Department is directed to pass a fresh order in accordance with law, now within a period of two months.

With the aforesaid, the appeal stands disposed of.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

Sunil/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	18.11.2017
Transmission Date	

