

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1497 of 2014

IN

Civil Writ Jurisdiction Case No. 25043 of 2013

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Dr. Rabindra Nath Mishra (Ex-Vice Chancellor) S/o Sri Devendra Nath Mishra R/o Mohalla - Gangjala, P.S. + P.O. - Saharsa, District - Saharsa.

.... Appellant/s

Versus

1. Dr. Lalitesh Mishra Son of Late Baldeo Mishra Resident of Bangaon, P.O. - Bangaon, P.S. - Bangaon, District - Saharsa.
2. Dr. Jagarnath Thakur Son of Sri Naresh Mohan Thakur Resident of Village - Manas Nagar, Hatiagachhi, Ward No. 32, P.S. and District - Saharsa.
3. Dr. Daya Ram Yadav Son of Late Gaya Ram Yadav Resident of Mohalla - Anandpuri, Ward No. 4, East of P.H.E.D. Office, Madhepura, P.O. + P.S. and District - Madhepura.
4. Dr. Anant Kumar Son of Late Duni Lal Mandal Resident at and P.O. - Murliganj, Ward No. 9, P.S. - Murliganj, District - Madhepura.
5. Dr. Shiv Balak Prasad Son of Late Parmeshwar Bhagat Resident of Mohalla - Pragati Nagar, Ward No. 20, P.S. + P.O. - Madhepura, District - Madhepura.
6. The State of Bihar, through the Principal Secretary, Human Resources Development Department, Government of Bihar, Patna.
7. The Bhupendra Narayan Mandal University, Laloo Nagar, Madhepura.
8. The Vice-Chancellor, Bhupendra Narayan Mandal University, Laloo Nagar, Madhepura.
9. The Registrar, Bhupendra Narayan Mandal University, Laloo Nagar, Madhepura.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Bipin Bihari Singh, Advocate

For the Respondent/s : Mr. Subodh Kumar Jha, Advocate

Mr. Pranav Kumar Jha, Advocate

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

and

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date: 05-05-2017

Heard counsel for the appellant and the counsel for the respondents.

We think, learned Single Judge despite strong finding,



which has been recorded with regard to the conduct of the appellant while working as Acting Vice-Chancellor, let off with nominal kind of cost being imposed upon him. If there is misuse of power and position by the authority then the system cannot be burdened by imposition of cost payable by the institution.

No interference is warranted in the appeal. It is dismissed.

Appellant should deposit the cost of Rs. 25,000/- within six weeks else it shall be recovered from the pension or any arrear, which is pending with the University and deposited with the High Court within the same time. In this regard, Registrar of the University must carry out the order.

(Ajay Kumar Tripathi, J.)

(Nilu Agrawal, J.)

Arjun/-

AFR/NAFR	NAFR
CAV DATE	NA
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