

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.970 of 2016

IN

Civil Writ Jurisdiction Case No. 5802 of 2013

- =====
1. Yamuna Prasad Yadav, S/o Late Antu Prasad Yadav, Resident of Village: Saruywa, P.S.- Katoria, P.O.- Kam Deo Dih, Distt- Banka.
 2. Jagdish Yadav, S/o Late Sona Yadav, Resident of village: at Uday Pura, P.O. + P.S.- Katoria, Distt- Banka.

.... Appellant/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Human Resources, Development Department, Government of Bihar, Patna.
2. The Principal Secretary, Department of Human Resources, Development Department, Government of Bihar, Patna.
3. The District Magistrate, Banka.
4. Tilka Manjhi University, Bhagalpur through its Registrar, Bhagalpur.
5. The Registrar, Tilka Manjhi University, Bhagalpur.
6. The alleged Managing committee of S.P. Yadav College Katoria, Banka through its Secretary Bhuvneshwar Yadav, S/o Kanhai Prasad Yadav, S.P. Yadav College, Katoria, Distt- Banka, Pin0 813106.
7. Bhuvneshwar Yadav, S/o Kanhai, Prasad Yadav, S.P. Yadav College, Katoria, Distt- Banka. Pin- 813106 Secretary of the alleged Managing Committee of S.P. Yadav College, Katoria, Banka.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Brajesh Kumar, Adv
For the University : Mr. Anjani Kumar, Sr. Adv
Mr. Shailendra Kumar Singh, Adv
For the Respondent/s : Mr. Ashok Kumar- SC11

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CORAM: HONOURABLE THE CHIEF JUSTICE

And

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 30-06-2017

Re.: Interlocutory Application No. 5476 of 2016

The delay in filing of this Appeal is condoned.

Interlocutory Application stands allowed and disposed

of.



Re.: Letters Patent Appeal No. 970 of 2016

The petitioner has not appeared after filing of the matter in the year 2016. On a perusal of the order passed by the learned Writ Court, it is seen that finding the dispute to be between the petitioner and the private education institute with regard to the managing committee and refusing to invoke the writ jurisdiction in such a dispute with regard to management of the institute, the parties have been relegated to take recourse, the common remedy available was to file civil suit and in doing so, the learned Writ Court has not committed any error.

The appeal is, therefore, dismissed.

(Rajendra Menon, CJ)

Shageer/-

(Anil Kumar Upadhyay, J)

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	04/07/2017
Transmission Date	NA

