

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Letters Patent Appeal No.429 of 2015  
Arising out of  
Civil Writ Jurisdiction Case No. 2466 of 2014**

=====

Uday Kumar, son of late Basudeo Prasad, resident of Mohalla Belisarai, P.S.  
Nawada, Distt. Nawada.

.... .... Petitioner / Appellant

Versus

1. The State of Bihar through Secretary, Education Dept. Govt. of Bihar, Patna.
2. The Director, Higher Education, Govt. of Bihar, Patna.
3. The Magadh University, Bodh-Gaya through the Vice -Chancellor, Magadh University, Bodh -Gaya.
4. The Vice Chancellor, Magadh University, Bodh -Gaya.
5. The Registrar, Magadh University, Bodh -Gaya.
6. The Principal, K.L.S. College, Nawada.

.... .... Respondents / Respondents

=====

**Appearance:**

For the Appellant/s : Mr. Deepak Sahay Jamuar, Advocate.

For the Respondent-State: Mr. Prabhakar Jha, G.P. 27.

For the Magadh Univ.: Mr. Ritesh Kumar, Advocate.

=====

**CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI  
and  
HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**

ORAL JUDGMENT

**(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)**

**Date: 11-07-2017**

The Writ Application of the appellant was rightly dismissed by the learned Single Judge due to a stale claim was sought to be raised with regard to certain entitlement supposedly available to his father who retired in the year 1985 and died in the year 2003 without raising any grievance for any of the issues.

It is evident from the counter affidavit of the Magadh University that the father of the present appellant was working in an



affiliated college which subsequently became constituent but he was suspended by the Managing Committee in the year 1973 and retired in the year 1985 while still in suspension.

The appeal has no merit in the given facts where any kind of direction is required to be issued interfering with the order of the learned Single Judge with a fishy kind of writ application and even appeal. The appeal is dismissed.

**(Ajay Kumar Tripathi, J)**

**(Rajeev Ranjan Prasad, J)**

Dilip, AR

|                   |            |
|-------------------|------------|
| AFR/NAFR          | NAFR       |
| CAV DATE          | N/A        |
| Uploading Date    | 13.07.2017 |
| Transmission Date | N/A        |

