

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

**Letters Patent Appeal No.1333 of 2013  
IN  
Civil Writ Jurisdiction Case No. 20326 of 2011**

- =====
1. The State of Bihar through the Principal Secretary, Human Resources Development Department (Now Known As Education Department) Bihar, Patna
  2. Secretary, Human Resources Development Department, (Now Known As Education Department) Bihar, Patna

.... .... Respondent Nos. 1 and 2.....Appellants  
Versus

1. Jainendra Singh Son of Sri Braj Bihari Singh Resident of Village Mehendiya, P.O. - Jaipur, P.S. - Mehendiya, District - Arwal
2. Md. Quais Ansari Son of Late Md. Yasin Resident of Mohalla Karan Sarai, P.S. - Sasaram, District - Rohtas
3. Arun Kumar Singh Son of Late Kashinath Singh Resident of Village Kaler, P.S. Kaler, District - Arwal
4. Birju Thakur Son of Late Kalli Thakur Resident of Sonbarsa, P.O. - Singuri, P.S. - Pauthu, District - Aurangabad
5. Rajendra Tiwari Son of Late Shiv Kumar Tiwari Resident of Village Biraunti, P.O. - Obra, P.S. - Obra, District - Aurangabad
6. Uday Prakash Rakesh Son of Late Rajaram Sahu Resident Of Village Kamta Mathiya, P.O. - Musepur, P.S. - Parasi, District - Arwal
7. Md. Aminul Haque Son of Md. Matinul Haque Resident of Village Bajitpur, P.O. - Byapur, P.S. - Maner, District – Patna

.....Petitioner.....Respondents 1<sup>st</sup> Set

8. Magadh University, Bodh Gaya through Its Registrar
9. Vice Chancellor, Magadh University, Bodh Gaya
10. Registrar, Magadh University, Bodh Gaya
11. Principal, Sheodeni Sao College, Kaler, Arwal

.....Respondent Nos. 3 to 6....Respondents 2<sup>nd</sup> Set

.... .... Respondent/s

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**Appearance :**

For the Appellant/s : Mr. Mritunjay Kumar, Advocate  
For the Magadh University : Mr. Vipin Kumar, 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: 15-02-2017**

I.A. No. 7603 of 2013 which is a petition for condonation of delay of 169 days in filing the appeal, is allowed.

The delay is condoned.

A batch of the writ applications came to be decided by a common order dated 21.01.2013 in C.W.J.C. No. 19767 of 2011 which was the case of Arun Kumar Prasad. An appeal was filed by the State which was registered as L.P.A. No. 1133 of 2013. The said appeal was dismissed being devoid of merit, in other words, the order of the learned Single Judge was not interfered with.

Since there is already an adjudication made by a Division Bench having coordinate jurisdiction, this appeal is also dismissed with an observation that the order dated 27.01.2015 passed in L.P.A. No. 1133 of 2013 will govern the case.

The present appeal is also dismissed.

**(Ajay Kumar Tripathi, J)**

**(Nilu Agrawal, J)**

Shageer/-

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| AFR/NAFR          | NAFR       |
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