

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1422 of 2013

IN

Civil Writ Jurisdiction Case No. 12268 of 2013

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1. Dr. Kuldeep Yadav Son Of Jagdish Prasad Yadav Resident Of Village Sahwani
P.O. Chopra Ram Nagar P.S. Janakinagar District Purnea Presently Posted As
Associate Professor Post Graduate Department Of Sociology B.N. Mandal
University, Madhepura

.... Appellant/s

Versus

1. The State Of Bihar, Through The Chief Secretary, Government Of Bihar, Patna
2. The Principal Secretary, Human Resources Development Department,
Government Of Bihar, Patna
3. B.N. Mandal University, Lalu Nagar, Madhepura, Through Its Registrar
4. Vice Chancellor, B.N. Mandal University, Lalu Nagar, Madhepura
5. Registrar, B.N. Mandal University, Lalu Nagar, Madhepura
6. Finance Officer, B.N. Mandal University, Lalu Nagar, Madhepura

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Alok Kumar &
Mr. Binodanand Mishra.

For the Respondent/s : Mr. Krishna Kant Tiwari, A.C. to S.C. 27

For the University : Mr. Shashi Bhusan Singh.

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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: 21-02-2017

I.A. No. 7977 of 2013 has been filed for condonation of
delay of 67 days in filing the Letters Patent Appeal.

2. For the reasons mentioned in the Interlocutory
Application, the delay in filing the present Letters Patent Appeal is
condoned. I.A. No. 7977 of 2013 is, accordingly, allowed.

Re : L.P.A. No. 1422 of 2013.



3. The challenge in the present Letters Patent Appeal is to an order dated 04.07.2013 passed by the learned Single Judge in C.W.J.C. No. 12268 of 2013 whereby liberty was granted to the appellant to file representation before Shri V. S. Dubey Committee for payment of difference of salary for the post of Reader from the effective date of promotion.

4. If Shri V. S. Dubey has already submitted his report and the Committee has wound up, then the order passed on 04.07.2013, as is the stand of the appellant, has to be quashed and the only option left to the appellant is to argue the matter afresh on merits before the learned Single Judge.

5. The present Letters Patent Appeal is allowed. Order dated 04.07.2013 is quashed. The matter is remanded back for fresh consideration on merits in accordance with law.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

Amin/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

