

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1198 of 2014

IN

Civil Writ Jurisdiction Case No. 14642 of 2013

=====

Ram Prakash Yadav S/o Late Horil Yadav R/o Village - Barsa, P.O. - Ghuskuri,
P.S. - Ariari, District - Shekhpura.

.... Appellant

Versus

1. The State of Bihar through the Principal Secretary, Human Development Department, Govt. of Bihar.
2. The Director, Higher Education Department, Govt. of Bihar, Patna.
3. The Vice Chancellor, Veer Kunwar Singh University, Bhojpur at Ara.
4. The Registrar, Veer Kunwar Singh University, Bhojpur at Ara.
5. The Secretary, Governing Body of Mahatma Gandhi College, Laharabad, Piro, District - Bhojpur at Ara.
6. The Principal, Mahatma Gandhi College Laharabad, Piro, District - Bhojpur at Ara.
7. Ashok Kumar Singh R/o at & P.O. - Bamhaur, P.S. - Piro, District - Bhojpur at Ara, at present working as lecturer in Hindi Deptt., Mahatma Gandhi College, Laharabad, Piro, at Ara.

.... Respondents

=====

Appearance :

For the Appellant : Mr. Rajeev Kumar Singh, Advocate

For the Respondent State: Mr. R.B.N.Singh, AC to GA-10

For the Respondent University: Mr. Rajesh Prasad Choudhary, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

and

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date: 04-05-2017

Heard counsel for the parties.

The learned single Judge despite dismissing the writ application has not killed the right of consideration of the relief which the petitioner-appellant is looking for. The only reason why the learned single Judge did not exercise his discretion is because the decision of the private managing committee is not amenable as such



under Article 226 of the Constitution of India especially with regard to either removal, dismissal etc.

He has been given leeway to seek common law remedy by filing a suit, which the appellant can still avail of. The Court will not interfere with the order of the learned single Judge since the same does not suffer from any infirmity.

Appeal has no merit. It is dismissed.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

Pawan/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	04.05.2017
Transmission Date	N/A

