

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1095 of 2016

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Birendra Kumar Pandey S/o late Jagdanand Pandey resident of village-
Barap, P.S. Garhani, District- Bhojpur

.... Appellant

Versus

1. The Vice Chancellor, Veer Kuwar Singh University, Ara District-
Bhojpur
2. The Registrar, Veer Kuwar Singh University, Ara District- Bhojpur
3. The Inspector of College, Veer Kuwar Singh University, Bihar,
Patna
4. The Principal Secretary, Humane Resources Department,
Government of Bihar, Patna
5. The District Magistrate, Bhojpur, Ara
6. The Regional Manager, Punjab National Bank, Exhibition Road,
Patna
7. The Branch Manager, Punjab National Bank, Garhani Branch,
District- Bhojpur
8. Sri Narendra Kumar Pandey, Son of Late Sacchidanand Pandey,
resident of village- Barap, P.S.- Garhani, District- Bhojpur

.... Respondents

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Appearance :

For the Appellant/s	:	Mr. Amarendra Kumar, Advocate
For the PNB	:	Mr. Kumar Priya Ranjan, Advocate Mr. Niraj Kumar, Advocate
For the University	:	Mr. Rajesh Prasad Choudhary, Advocate
For the State	:	Mr. Rakesh Kumar Shrivastava, A.C. to G.P.15

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CORAM: HONOURABLE THE CHIEF JUSTICE

And

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD)

Date: 13-04-2018

Challenge in the present Letters Patent Appeal is to
the judgment and order dated 07.04.2016 passed by the
learned Writ Court in CWJC No. 16119/2014.

2. The learned Writ Court has refused to go into the



correctness of the enquiry report dated 10.03.2016 by the committee set up by the University to go into the matters relating to financial irregularities allegedly committed by the respondent no. 8.

3. A perusal of the writ application would show that the petitioner had moved this court in writ jurisdiction seeking a direction to the respondent Vice Chancellor, Veer Kunwar Singh University, Ara, Bhojpur to conclude the enquiry set up against the financial irregularities committed by respondent no. 8. The University constituted a three men enquiry committee and placed a copy of the report of the three men committee before the learned writ court. The petitioner and respondent no. 8 are cousin brothers, as stated in the counter affidavit of respondent no. 8 filed in the writ application. By filing I.A. No. 2762/2016, the petitioner wanted to challenge the enquiry report dated 10.03.2016 as contained in Annexure-10 to the writ application on various grounds.

4. We have perused the contention of writ petitioner in the interlocutory application for the purpose of challenging the enquiry report. In our considered opinion, the nature of disputes, allegations and counter allegations which have been placed on the record cannot be gone into and adjudicated upon



by a constitutional court sitting in its writ jurisdiction. The learned writ court has rightly refused to entertain the challenge to the enquiry report. We do not find any illegality or infirmity in the impugned judgment of the learned writ court.

5. The Letters Patent Appeal has no merit. It is, accordingly, dismissed.

We make it clear that the dismissal of the writ application or Letters Patent Appeal would not be a bar for the petitioner-appellant to ventilate his grievance before any other appropriate forum, if so advised.

(Rajendra Menon, C.J.)

(Rajeev Ranjan Prasad, J.)

Rajeev/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	17.04.2018
Transmission Date	NA

