

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7940 of 2018

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1. Sanjay Kumar Singh, Son of Late Shivendra Narain Singh, Resident of Bhahadurpur Bagicha Near Sai Hostel, P.S.- Bahadurpur, P.S.- Rajendra Nagar, District- Patna.
 2. Ishwar Dayal Singh, Son of Late Shaukhin Singh, Resident of Lila Bhawan, Rajiv Nagar Mithila Colony, Road No.14 Patna.
 3. Lalan Prasad Singh, Son of Late Matukdhari Singh, Resident of 19/224 Janta Flat Lohiya Nagar, P.S.- Kankarbag, District- Patna.
 4. Akhilesh Kumar Singh, Son of Late Rajeshwari Prasad Singh, Resident of Village- Gola Mohalla Arrah, P.S.- Town Arrah, District- Bhojpur (Arrah).
 5. Lalan Prasad Singh, Son of Late Bhagwan Singh, Resident of Darav Toli, P.S.- City Chouk, Patna City, District- Patna. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna.
 2. The Principal Secretary, Education Department, Government of Bihar, Patna.
 3. The Director, Higher Education, Government of Bihar, Patna.
 4. The Vice-Chancellor, Magadh University, Bodh Gaya, Gaya.
 5. The Registrar, Magadh University, Bodh Gaya, Gaya.
 6. The Vice-Chancellor, Patliputra University, Patna, Patna.
 7. The Registrar Patliputra University Patna, Patna.
 8. The Principal, Rameshwar Das Panna Lal Mahila Mahavidyalalya Patna City, Patna. Respondent/s
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Appearance :

For the Petitioner/s : Mr. Dharendra Kumar, Advocate
For the Respondent/s : Smt. Neetu Jha, AC to GA-12

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL JUDGMENT
Date: 02-05-2018

Heard learned counsel for the petitioners and respondents.

2. Issue involved in the present writ application is no more *res integra*. The matter was taken to the Apex Court in Civil Appeal No(s). 6178-6181 of 2015 and the Apex Court has decided the appeal in the follow manner:

“We have heard learned counsel for the parties at great length.

These appeals arise out of challenge to the



Bihar State Universities (Amendment and Validation) Act, 2012 (Bihar Act 22 of 2012) which has been upheld by the High Court by the impugned order. We do not find any ground to interfere with the view taken by the High Court in upholding the said Act.

We however make it clear that the present status, rank and pay of the appellants will not be disturbed. If any lab assistant has been given designation of demonstrator, which he continues to hold till date, it will not be withdrawn. They will not be entitled to any further benefits in conflict with the impugned Act.

In view of above, the appeals are disposed of. No costs.

Pending applications, if any, shall also stand disposed of.”

3. In view of the decision of the Apex Court, the writ application is disposed of with a direction to the respondents to examine the case of the petitioners in the light of the judgment of the Apex Court in Civil Appeal No(s). 6178-6181 of 2015 and take final decision as to the entitlement of the petitioners within a period of 60 days from the date of receipt/production of a copy of this order.

(Anil Kumar Upadhyay, J)

Uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	05.05.2018
Transmission Date	

