

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7262 of 2014

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Raghupati Roy, son of Late Ram Pravesh Roy, Lab.-Incharge, Zoology Department, S. B. College, Ara, District- Bhojpur as well as resident of Mohalla- Maulabag, back of Risala, Nala Par, Ara, District- Bhojpur

.... Petitioner/s

Versus

1. The Veer Kunwar Singh University, Ara, through the Registrar of the University, District- Bhojpur.
2. The Hon'ble Chancellor of the Universities of Bihar, Patna
3. The Vice-Chancellor, Veer Kunwar Singh University, Ara, District- Bhojpur.
4. The Registrar, Veer Kunwar Singh University, Ara, District- Bhojpur
5. The Principal, S.B. College, Ara, District- Bhojpur

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Madanjeet Kumar, Advocate
Mr. Kamlesh Kumar Sharma, Advocate
For the Respondent/s : Mr. Kinkar Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

Date: 01-11-2018

Heard learned counsel for the petitioner and respondents.

The Apex Court in the case of Durga Prasad Singh & Ors. Vs The State of Bihar & Ors. (Civil Appeal No(s) 6178-6181 of 2015) has considered the issue as to the benefit available to the demonstrators. While upholding the amendment, the Apex Court passed the following order:-

"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 If any lab assistant has been given designation of demonstrator, which he continues to hold till date, it will not be withdrawn.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 the above, the appeals are disposed of. No costs.”

In view of the above, the University is directed to consider the case of the petitioner in the light of the decision of Durga Prasad Singh & Ors. (supra) and take appropriate decision within a maximum period of four months from the date of receipt/production of a copy of this order.

With the aforesaid the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

Uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	02.11.2018
Transmission Date	

