

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5199 of 2015

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Rajeshwar Prasad Singh, Son of Late Birju Narain Singh, Resident of Mohalla - Sri Krishna Nagar, Motihari, P.S.- Motihari Town, District - East Champaran. At presently posted as Lab In-charge, Botany Department, Dr. Sri Krishna Sinha Women's College, Motihari, Police Station - Motihari Town, District - East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Human Resource Development Department, Govt. of Bihar, Patna.
2. The Joint Secretary, Human Resource Development Department, Govt. of Bihar, Patna.
3. The Director, Higher Education, Govt. of Bihar, Patna.
4. The B.R.A. Bihar University, Muzaffarpur through its Registrar.
5. The Vice Chancellor, B.R.A. Bihar University, Muzaffarpur.
6. The Registrar, B.R.A. Bihar University, Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Madhurendra Kumar, Advocate
For the Respondent/s : Mr. AAG 3-Roy Shivajee Nath

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

4 27-11-2018 Heard learned counsel for the petitioner and counsel appearing on behalf of the State.

2. The issue raised in the present writ application does not require any adjudication in view of the order dated 27.02.2017 passed by the Apex Court in Civil Appeal Nos. 6178-6181 of 2015 (**Durga Prasad Singh & Ors. Vs. The State of Bihar & Ors.**). The said order is reproduced below for ready reference:-

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

These appeal 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 If any lab assistant has been given designation of demonstrator, it will not be withdrawn.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.

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

3. In view of the above decision of the Apex Court, the respondent-Universities is directed to examine the case of the petitioner and take final decision in accordance with the order passed by the Apex Court in the case of Durga Prasad Singh (Supra).

4. With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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