

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12146 of 2013

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1. Shatrunjay Kumar Singh S/O Krishnadeo Narayan Singh Resident Of Village - Patahi (Nankar), P.O. + P.S. - Patahi, District - East Champaran
 2. Mukesh Kumar S/O Late Batukdeo Narayan Singh Resident Of Professors Colony, Belwanwa, P.S. - Motihari, District - Motihari (East Champaran)

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Principal Secretary, Education Department, Government Of Bihar, Patna
3. Joint Secretary, Higher Education Department, Government Of Bihar, Patna
4. Director, Higher Education Department, Government Of Bihar, Patna
5. B.R.A. Bihar University, Muzaffarpur Through Its Registrar
6. Vice-Chancellor, B.R.A. Bihar University, Muzaffarpur
7. Registrar, B.R.A. Bihar University, Muzaffarpur
8. Principal, Dr. S.K. Sinha Womens College, Motihari , District - East Champaran

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Praphul Chandra Jha Advocate
For the Respondent/s	:	Mr. Rakesh, AC to AAG-05

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

11 20-11-2018 Heard learned counsel for the petitioners 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 27.2.2017 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 If any lab assistant has been given designation of demonstrator, it will not be withdrawn.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- University is directed to examine the case of the petitioners 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)

T.Kr./-

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