

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.797 of 2017

In
Civil Writ Jurisdiction Case No.16814 of 2015

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Rup Bihari Singh Son of late Raushan Singh resident of village - Bhakhra,
P.O. Hansadih, P.S. Masaurhi, District - Patna (Bihar) at Present residing at
House No. L1/58, Shri Krishna Puri, Boring Road, Patna 800001

... .. Appellant

Versus

1. Magadh University, Bodh Gaya through its Registrar
2. Vice - Chancellor, Magadh University, Bodh Gaya
3. Registrar, Magadh University, Bodh Gaya
4. Adhoc Committee of D.N. College, Masaurhi, Patna through its University
Representative Cum Secretary ,Dr. Nand Kumar Yadav

... .. Respondents

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Appearance :

For the Appellant : Mr. Raju Giri, Advocate
For the Respondent M.U.: Dr. Kumar Amitesh Chandra, Advocate

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
and
HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

8 16-05-2018 The Vice-Chancellor and the Registrar of the Magadh

University are present in person.

Explanations and the reasons are given by them for
non-compliance of the direction of the learned single Judge
dated 07.04.2017 passed in C.W.J.C. No. 16814 of 2015. If the
Vice-Chancellor and the Registrar seriously felt that the time
frame and the direction could not be carried out because of the
non-cooperation or the problems having been created by the
vested interest of the College, appropriate guidance could have
been sought from the Court.

Be that as it may, the Court is informed that a



notification dated 09.02.2018 has been issued now and a new University has come into existence known as Patliputra University. The college in question, namely, D.N. College, Masaurhi, Patna, has been assigned to the new University. The notification has come into effect from 18.03.2018 and, therefore, the Magadh University has now lost control over the affairs of the college in question.

With this development, the direction dated 07.04.2017 cannot be carried out by the Magadh University after 18.03.2018.

The Vice-Chancellor of the Magadh University is, however, directed that he shall forward the entire record with the background details and his inputs to the new Vice-Chancellor of Patliputra University, who has now an obligation and duty to comply with the order and direction dated 07.04.2017 preferably within a period of six months. This time has been granted keeping in mind that the new University is just taking shape and some time may be required in the new dispensation to get with the grip of the affairs.

The presence of the Vice-Chancellor and the Registrar of the Magadh University stands dispensed with.

The Letters Patent Appeal stands disposed off with an



observation that the decision, which will be taken by the new University, shall be the subject matter of adjudication, if there is need for the same.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

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