

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.305 of 2017

In
Civil Writ Jurisdiction Case No.19168 of 2015

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Professor Dr. Dwijendra Gupta @ Dr. Dwijendra Kumar Gupta Son of Sri B. Ram Chandra Gupta Resident of B - 189, Mehdauri Colony Post Office - Teliaganj, P.S. Shivkutti, District Allahabad (Uttar Pradesh).

... .. Appellant/s

Versus

1. The State of Bihar through the Principal Secretary Department of Education, Government of Bihar, Patna.
2. The Principal Secretary, Department of Education, Government of Bihar, Patna.
3. The Principal Secretary to Hon'ble Governor-cum-Chancellor of Universities, Bihar, Raj Bhawan, Patna (Jai Prakash University, Chapra).
4. The Jai Prakash University, Chapra through its Registrar.
5. The Pro Vice-Chancellor, Jai Prakash University, Chapra.

... .. Respondent/s

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Appearance :

For the Appellant	:	Mr. Gyan Prakash
For the Respondent State:		Mr. Priyadarshi Matri Sharan, AC to AAG 15
For the Respondent University:		Mr. Anjani Kumar, Sr. Advocate
For the Respondent Chancellor:		Mr. R.K. Giri

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

and

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date : 30-04-2018

Heard learned counsel for the appellant, learned senior counsel for the University and counsel for the Hon'ble Chancellor.

We are not inclined to interfere with the impugned order dated 19.01.2017 passed by the learned single Judge in C.W.J.C. No. 19168 of 2015 because the removal of the present appellant as a Vice Chancellor of J.P. University was necessitated under the



facts and circumstances of the institution of vigilance case with the allegations of corruption made against him.

Even otherwise, since the appellant can not be restored back to the position and the post, which term have been well over years ago, the present appeal remains academic now. Whatever clean chit, which the appellant is looking for from the High Court, can only be obtained from the Trial Court and not the High Court.

The appeal is dismissed.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

Pawan- Ragini

AFR/NAFR	N.A.F.R.
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