

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16198 of 2009

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Shambhu Prasad Singh S/O Sri Yadunandan Pd. Singh R/O Pohiyar, P.S.
Sahadei, Distt. Vaishali

... .. Petitioner/S

Versus

1. The Bhim Rao Ambedkar Bihar University Through Its Registrar
2. The Vice-Chancellor Bhim Rao Ambedkar Bihar University, Muzaffarpur
3. The Registrar Bhim Rao Ambedkar Bihar University, Muzaffarpur
4. The Finance Officer Bhim Rao Ambedkar Bihar University, Muzaffarpur

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ravish Chandra, Advocate
For the University : Mr. Samir Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL JUDGMENT

Date : 26-06-2018

Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the University.

2. The petitioner has filed the present writ petition for a
direction to the respondents to enhance the age of superannuation
of the petitioner. He has also prayed for quashing of memo nos.
B/1145 dated 26.5.2009 and B/2325 dated 12.11.2009.

3. Learned counsel for the petitioner submits that
after amendment in Section 67 of the Bihar State Universities Act,
the age of superannuation of the petitioner stands extended upto
65 years.

4. The controversy raised in the present writ
petition is no more res integra. The matter was authoritatively
decided by the Apex Court in the case of **Jagdish Prasad**



**Srivastava Vs. The State of Bihar & Ors. Reported in 2013(3)
PLJR (SC) 340.**

5. In view of the decision of the Apex Court in the case of **Jagdish Prasad Srivastava** (supra), the writ petition is disposed of with a direction to the respondents to strictly act in accordance with the judgment of the Apex Court and work out the entitlement of the petitioner accordingly.

6. Since the petitioner was 62 years of age on the date of filing of the writ petition, he must have attend the age of superannuation in 2012 and in view of the above, it is only a matter of consequential relief that is to be worked out by the respondents. Final decision in this regard must be taken by the respondents within a period of three months from the date of receipt/production of a copy of this order.

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

(Anil Kumar Upadhyay, J)

spandey/-

AFR/NAFR	NAFR
CAV DATE	NA
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