

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8448 of 2015

Amesh Nandan Prasad S/o late Deoki Nandan Mahto resident of Village & P.s Daniawan, District Patna, at present Demonstrator, post graduate Department of Geology, Patna University, Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Vikas Bhawan, Patna.
2. The Patna University, Patna through the Registrar, Patna.
3. The Vice Chancellor, Patna University, Patna.
4. The Registrar, Patna University, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Gajendra Kumar Jha, Advocate Mr. Surya Kant Mishra, Advocate
For the State	:	Mr. Partha Sarthi, SC 4
For the University	:	Mr. Digvijay Singh, Advocate Mr. B.J. Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 03-12-2018 In view of the judgment of the Apex Court in the case of Durga Prasad Singh & Ors. Vs. The State of Bihar & Ors. Civil Appeal Nos. 6178-6181 of 2015, the writ petition is disposed of with a direction to the respondents to work out the entitlement of the petitioners. The relevant part of the judgment of the Supreme Court is quoted below.

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

These appeals 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 If any lab assistant has been given designation of demonstrator, which he continues to hold till date, it will not be withdrawn. They will not be entitled to any further benefits in conflict with the impugned Act.

In view of above, the appeals are disposed of. No costs.

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

Respondents are directed to ensure payment of benefits available to the petitioner at the earliest preferably within a period of four months from the date of receipt/production of a copy of this order.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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