

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 19287 of 2018

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1. Uday Kant Jha, Son of Late Chamak Lal Jha, Resident of Jadnichak, P.S.-Belhar, District-Banka.
 2. Braj Kishore Yadav, Son of Late Ramdeo Prasad Yadav, Resident of Village-Khutaha, P.S.-Lodipur, District-Bhagalpur.
 3. Bijay Prasad Sah, Son of Late Chunchun Prasad Sah, Resident of Village-Baluwachak, P.S.-Jagdishpur, District-Bhagalpur.
 4. Shyam Yadav, Son of Banwari Yadav, Resident of Village-Shahibganj, P.S.-T.M. University, District-Bhagalpur.

... .. Petitioner/s

Versus

1. The T. M. Bhagalpur University, Bhagalpur, through its Registrar.
2. The Vice-Chancellor, T.M. Bhagalpur University, through its Registrar.
3. The Registrar, T.M. Bhagalpur University, Bhagalpur.
4. The Finance Officer, T.M. Bhagalpur University, Bhagalpur.
5. The Principal Sabour College, Sabour, District-Bhagalpur.
6. The State of Bihar, through the Principal Secretary, Education Department, Government of Bihar, Patna.
7. The Director, Higher Education Department, Govt. of Bihar, Patna.

... .. Respondent/s

For the Petitioner/s	:	Mr Purushottam Kr Jha, Advocate
For the University	:	Mr Ashhar Mustafa, Advocate
For the State	:	Mr Madhukar Mishra, AC to SC XVI

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 14-12-2018

It is submitted by Mr Purushottam Kumar Jha appearing for the petitioners that the claim of the petitioners is covered by the decision of this Court in the case of *Akhilanand Singh & Others -Versus- State of Bihar & Others* decided in the proceedings arising out of *CWJC No 17670 of 2017*. The petitioners are, therefore, entitled to the same relief as the issue is a “covered matter”.

This Court would lay emphasis on the provisions contained in the Bihar State Litigation Policy 2011, more specifically Clause 4.C (1) whereby the State Government has



adopted a policy in respect of *covered matters* to discourage unwarranted litigation.

The respondent-authorities would be obliged to extend the same benefit to the petitioners on his claim having been covered with the case of *Akhilanand Singh & Others (supra)*. Such consideration has to be done by the Vice Chancellor (respondent No 2)

Let a final decision be taken in respect of the petitioners' claim.

In order to facilitate such consideration, the petitioners would be submitting a comprehensive representation before respondent No 2 within four weeks from today.

In the event such representation is filed, respondent No 2, having regard to the decision in the case of *Akhilanand Singh & Others (supra)* should take a final decision regarding petitioner's entitlement within eight weeks from the date of receipt/production of a copy of this order along with the representation to be filed by the petitioners.

Writ petition stands disposed of.

(Madhuresh Prasad, J)

M.E.H./-

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