

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14728 of 2015

Dr. Neena Verma, Wife of Sri Akhileshwar Kumar, resident of R.K. Puram, Dream Jwell Apartment, Block No. B, Flat No. 307 Saguna Khagaul Road, P.S. Khagaul, District Patna, at present Demonstrator, Department of Psychology, Patna women's College, 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. Sushil Kumar Jha
For the Respondent/s	:	Mr. Ashok Kumar Gupta, AC to GP-10
For the University	:	Mr. Manish Dhari Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 04-12-2018 The issue raised in the present writ application is covered by the order dated 27.02.2017 passed by the Apex Court in Civil Appeal Nos. 6178-6181 of 2015 (**Durga Prasad Singh & Ors. Vs. The State of Bihar & Ors.**). The said order is reproduced below for ready reference:-

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

These appeal 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 If any lab assistant has been given designation of demonstrator, it will not be withdrawn. They will not be entitled to any further benefits in conflict with the impugned Act.

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

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

3. In view of the above decision of the Apex Court, the respondent-Universities is directed to examine the case of the petitioner and take final decision in accordance with the order passed by the Apex Court in the case of **Durga Prasad Singh** (Supra) within a maximum period of four months from the date of receipt/production of a copy of this order.

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

5. While taking decision, the University may consider the other issue with regard to entitlement of the petitioner for grant of promotion under ACP Rules, if applicable.

(Anil Kumar Upadhyay, J)

uday/-

U			
---	--	--	--

