

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2707 of 2018

Dr. Gajendra Prasad Singh son of Late Deep Narayan Singh resident of
Village + P.O. Mukrera, P.S. - Revilganj, District - Chapra (Saran).

... .. Petitioner/s

Versus

1. The Jai Prakash University, Chapra through its Registrar.
2. Vice Chancellor, Jai Prakash University, Chapra.
3. Registrar, Jai Prakash University, Chapra.
4. Dr. P.N. Singh Degree College, Sant Ganga Das Nagar, Brahampur, District - Chapra through its Secretary.
5. Secretary, Dr. P.N. Singh Degree College, Sant Ganga Das Nagar, Brahampur, District – Chapra.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Abhinav Srivastava, Advocate
For the University	:	Mr. Nagendra Kumar Singh, Advocate
For Resp Nos 4&5	:	Mr. Alok Kumar Agarwal, Advocate
		Mr. Priya Gupta, Advocate

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL JUDGMENT

Date : 13-12-2018

Heard counsel for the petitioner, respondent University as well as respondents no. 4 and 5.

Mr. Abhinav Srivastava, learned counsel appearing for the petitioner submits that the petitioner's dismissal has already been annuled by a decision of the Vice-chancellor contained in notification dated 11.08.2016. In spite of that he has not been allowed to discharge his duty and the consequential benefits arising out of the said decision.

He points out to this Court that by letter dated 17.01.2018 the University has written to the Secretary, governing body of the respondent college reiterating that the decisions be implemented in respect of the petitioner. He pointed out that for such defiance by the college or governing body the statute of the University provides for action such as suspension or dissolution



of the governing body including cancellation of grant or aid after affording due opportunity to the governing body. The statute being relied upon by Mr. Srivastava is “Statute regarding Governing Body.”

In view of the remedy available to the petitioner before the University authority in terms of the said statute, a prayer is made that petitioner would approach the Vice Chancellor by making a detailed representation highlighting the defiance of the respondent college/governing body. In case the same is done it is needless to say that the respondent no. 2 would ensure that the decision as contained in Annexure 4 which is notification dated 11.08.2016 be complied with and take necessary action under the said statute and in accordance with law expeditiously and preferably within a period of three months from the date of receipt/production of a copy of this order.

Writ petition is disposed off.

(Madhuresh Prasad, J)

Prakash/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

