

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.25416 of 2013

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MD. KHURSHID ANWER S/O LATE MD. YUSUF R/O MOHALLA -
MAHALPUR, P.S. BIHARSHARIF, DISTRICT - NALANDA

... .. Petitioner/s

Versus

1. The State Of Bihar Through The Secretary (Higher Education), The Human Resources Development Department, Government Of Bihar, Patna
2. The Chancellor, Magadh University, Bodh Gaya
3. The Vice Chancellor, Magadh University, Bodh Gaya
4. The Registrar, Magadh University, Bodh Gaya
5. The Finance Officer, Magadh University, Bodh Gaya
6. The Principal, Nalanda College, At Biharsharif, Nalanda

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Binit Kumar
For the Respondent/s : Mr. Ajay Kumar, AC to GP 4

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL JUDGMENT

Date : 09-10-2018

Heard learned counsel for the petitioner, learned counsel
for the State and learned counsel representing the University.

2. 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 No(s) 6178-6181 of 2015]. For ready reference, the
order dated 27.02.2017 passed by the Apex 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 If any lab assistant has been given designation of demonstrator, which he continues to hold till date, it will not be withdrawn.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 above, the appeals are disposed of. No costs.

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

3. The writ petition is accordingly disposed of.

(Anil Kumar Upadhyay, J)

mrl./-

AFR/NAFR	NAFR
CAV DATE	N.A.
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Transmission Date	

