

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23410 of 2013

Narendra Narayan Prasad Son Of Late Dr. Umesh Prasad Verma Permanent Resident Of Mohalla - Rajendranagar, Madhubani, Police Station - Khajanchi Hat, District And Town Of Purnea

... .. Petitioner/s

Versus

1. The State Of Bihar Through The Principal Secretary, Education Department, Government Of Bihar, New Secretariat, Patna
2. Kameshwar Singh Darbhanga Sanskrit University Through Its Registrar Kameshwar Nagar, Darbhanga
3. Vice-Chancellor, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga
4. Registrar, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga
5. Governing Body , Hathuwaraj Gyanodaya Sanskrit Mahavidyalaya, Mandiri, Patna - 800001 Through Its Secretary
6. Principal, Hathuwaraj Gyanodaya Sanskrit Mahavidyalaya, Mandiri, Patna - 800001

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Gyanand Roy
For the Respondent/s : Mr. Rakesh Kumar Ranjan, AC to GA-5

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

4 29-10-2018 Heard learned counsel for the petitioner and the counsel appearing on behalf of the State as well as learned counsel for the University.

Mr. Gyanand Roy, learned counsel appearing on behalf of the petitioner submits that with reference to Annexure-5 that the institution which was earlier affiliated up to intermediate level was upgraded and affiliated up to degree level with effect from 1985-86 vide (Annexure-5) dated 10.10.1985.

Learned counsel submits that in view of the fact that



the institution has been upgraded as degree college provision of section 67 of the Bihar State University Act would apply in relation to the age of retirement of teachers of degree college.

The issue of superannuation of the teachers has been finally decided by the Apex Court in the case of **Jagdish Prasad Sharma vs. State of Bihar, (2013(8 SCC 633.**

In view of the above, the writ petition is disposed of with direction to the University to take appropriate decision if the petitioner is teacher in a degree college and he is entitled to the benefit of age of superannuation of degree college in terms of judgment of the Apex Court (supra).

Necessary decision with regard to age of superannuation with all consequential benefits must be taken by the respondents within a period of four weeks 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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