

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No. 2223 of 2018

Arising out of

Miscellaneous Jurisdiction Case No. 3689 of 2011

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1. Dr. Rama Nand Prasad, Son of Shri Chandeshwar Prasad, resident of at Nandgaon, L.B.S. Nagar, P.S. Shastri Nagar, District- Patna.
 2. Dr. Chandra Mohan Singh, Son of Late Birendra Bahadur Singh, resident of Village- Chatar, P.O.- Babhangawan, P.S.- Barahara, District- Bhojpur.
 3. Harendra Prasad Singh, Son of Late Maharaj Singh, resident of Village- Deoria, Post- Sripalpur, P.S.- Koilwar, District- Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar through, Shri R. K. Mahajan, Principal Secretary, Human Resources Development Department, Government of Bihar, Patna.
2. Mr. Chongtu, Secretary, Human Resources Development Department, Government of Bihar, Patna.
3. Shri Sushil Kumar, Director, Higher Education, Government of Bihar, Patna.
4. Magadh University, Bodh Gaya through its Registrar Prof. Birendra Kumar Singh.
5. Dr. Kamar Hassan, Vice Chancellor, Magadh University, Bodh Gaya.
6. Prof. Birendra Kumar Singh, Registrar, Magadh University, Bodh Gaya.
7. Dr. Shashi Pratap Shahi, Principal, A.N. College, Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.
For the Magadh University	:	Mr. Syed Firoz Raza, Advocate
For the State	:	Mr. Rakesh Narayan Singh, AC to AAG15

**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL JUDGMENT

Date : 17-09-2019

Heard learned counsel for the petitioners; learned AC to AAG 15 for the State and learned counsel for the Magadh University (hereinafter referred to as the 'University').



2. The petitioners have moved the Court alleging willful disobedience of the order dated 13.11.2013 passed in MJC No. 3689 of 2011 and analogous cases.

3. From the materials on record, it transpires that against the said order, the State had moved in LPA No. 953 of 2015, which was disposed off by a common order on 01.08.2017, with a direction that the State authorities had to abide by the decision dated 06.07.2017 contained in Letter No. 1301.

4. From the pleadings and materials on record, it transpires that the University has to send the matter to the Pay Verification Cell of the State Government in terms of the aforesaid Letter No. 1301. In the meantime, the University has sent 75% of the total claim of the petitioners to the Principal, AN College, Patna for payment and the rest is subject to the final fixation by the Pay Verification Cell in terms of the aforesaid letter of the State Government dated 06.07.2017.

5. In view of the aforesaid fact, the order whose violation is alleged having merged with the order passed in LPA No. 953 of 2015 and the action taken by the University does not persuade the Court to proceed with the present proceeding any further.



6. Accordingly, the application stands disposed off with the observation that the authorities shall take the matter to its logical conclusion in terms of the direction given in LPA No. 953 of 2015 dated 01.08.2017.

(Ahsanuddin Amanullah, J.)

P. Kumar

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