

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15340 of 2019

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DEORAHA BABA SHRIDHAR DAS DEGREE COLLEGE (Through its Principal Dr. Arjun Prasad Yadav, aged about 59 years, Son of Late Hiralal Ray, resident of Rahimpur, P.S.-Garkha, District-Saran) situated at Mohalla-Rampur (Kadna), P.S.-Garkha, District-Saran

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Higher Education, Department of Education, Govt. of Bihar, Patna.
2. The Director, Higher Education, Department of Education, Govt. of Bihar, Patna.
3. Jai Prakash University, Chapra, Saran through its Registrar.
4. The Vice Chancellor, Jai Prakash University, Chapra, Saran.
5. The Pro-Vice Chancellor, Jai Prakash University, Chapra, Saran.
6. The Registrar, Jai Prakash University, Chapra, Saran.

... .. Respondent/s

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Appearance :

For the Petitioner : Mr. Sanjay Kumar Mishra, Advocate
For the Respondent No. 2 to 6: Mr. Anjani Kumar, Senior Advocate
Mr. Nagendra Kumar Singh, Advocate
For the State : Mr. Umesh Narayan Dubey, A.C. to G.P. - 27

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
and
HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH)

3 03-12-2019 Heard Mr Sanjay Kumar Mishra, learned counsel for the petitioner, Mr. Anjani Kumar, learned Senior Advocate appearing for the Jai Prakash University, Chapra and Mr. Ashok Chaudhary, learned counsel for the intervenor, claiming to be the I/c Principal of Deoraha Baba Shridhar Das Degree College.

Initially the writ application was filed under Section 226 of the Constitution Of India, but vide order dated



30.07.2019, on the prayer made by the learned counsel for the petitioner, the writ petition was permitted to be converted into Public Interest Litigation.

The writ application was filed by Deoraha Baba Shridhar Das Degree College through its Principal- Dr. Arjun Prasad Yadav for the relief, as stipulated in paragraph no. 1 of the writ application, which is quoted hereinbelow:-

“That present petition is being filed for issuance of an appropriate Writ / Writs, Order / Orders, Direction / Directions to the respondents concern to provide the list of students to the college who got admitted on-line / on counter of the university for study in three years degree course with the petitioner (College), so that petitioner may be able to provide the teaching facilities to them in interest of their respective future.”

I.A. No. 1 of 2019 was preferred by the intervenor - Niranjana Kumar claiming to be the I/c Principal of the said degree college.

Learned counsel for the petitioner seeks permission to withdraw the application.



Mr. Anjani Kumar, learned Senior Counsel appearing for the Jai Prakash University, Chapra submits that the whole dispute relates to the claim and counter claim by the petitioner and the intervenor on the post of the Principal of the College in question.

Considering the fact that the petitioner seeks to withdraw the application, we are not inclined to either consider the intervenor application or to express any opinion on the merit of the claim and counter claim of the parties.

The writ petition stands dismissed as withdrawn.

(Dinesh Kumar Singh, J)

(Anil Kumar Sinha, J)

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