

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.23 of 2020

In

Civil Writ Jurisdiction Case No.23410 of 2019

Dr. Sushil Kumar Singh @ Sushil Kumar Singh Son of Late Surendra Prasad Singh Resident of Uttari Dahiyawan Tola, P.O. and P.S.-Chapra, District-Saran.

... .. Appellant/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Education Department, Bihar, Patna.
2. Director, Higher Education, Education Department, Bihar, Patna.
3. B.R.A. Bihar University, Muzaffarpur through its Registrar
4. Vice Chancellor, B.R.A. Bihar University, Muzaffarpur
5. Registrar, B.R.A. University, Muzaffarpur.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Raushan, Advocate Mr. Abhay Kumar, Advocate Mr. Ujjwal Bhushan, Advocate
For the Respondent/s	:	Mr. Ajay Kumar Rastogi, A.A.G. 10 Mr. Shashi Shekhar Tiwary, AC to AAG 10 Mr. Vikas Ratan Bharti, Advocate Mr. Anil Singh, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

(The proceedings of the Court are being conducted by Hon'ble the Chief Justice/Hon'ble Judges through Video Conferencing from their residential offices/residences. Also the Advocates and the Staffs joined the proceedings through Video Conferencing from their residences/offices.)

3 04-09-2021

I.A. No.1 of 2020

Having heard learned Counsel for the parties, we are
satisfied that the delay has been sufficiently explained. The



delay condonation application is allowed. The appeal shall be treated to be within time.

L.P.A. No.23 of 2020

This appeal is directed against the judgment dated 28.11.2019 passed in C.W.J.C. No. 23410 of 2019, titled as Dr. Sushil Kumar Singh @ Sushil Kumar Singh Vs. The State of Bihar & Ors., by a learned Single Bench of this Court.

Learned counsel for the appellant states that the appellant is ready and willing to approach the authorities, but perhaps, the findings returned in para-6 of the impugned order may come in the way of just and equitable decision of the case.

We find that the learned Judge has not decided the case on merits. In the peculiar facts and circumstances, we direct that the observations made therein would not come in the way of the adjudication of the appellant's right in accordance with law.

Appeal stands disposed of in the aforesaid terms.

(Sanjay Karol, CJ)

(S. Kumar, J)

K.C.Jha/-

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