

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8367 of 2015

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1. Bhagwanji Rai and Ors son of Late Ram Ekbal Rai, Resident of Village and P.O.- Chilhari, P.S.- Dumraon, District- Bixar.
 2. Babban Gosai son of Late Moti Gosai, Resident of Village and P.O.- Lalganj Karbi, P.S.- Dumraon, District- Bixar.
 3. Paras Singh son of Late Kailash Singh, Resident of Village and P.O.- Naya Bhojpur, P.S.- Dumraon, District- Bixar.
 4. Kamoj Singh son of Late Brij Bihari Singh Resident of Village and P.O.- Kopwan, P.S.- Koransarai, District- Bixar.

... .. Petitioner/s

Versus

1. Veer Kunwar Singh University Ara and Ors
2. The Vice Chancellor, Veer Kunwar Singh University, Ara
3. The Registrar, Veer Kunwar Singh University, Ara
4. The Finance Officer, Veer Kunwar Singh University, Ara
5. The Principal, D.K. College, Dumraon

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Abhay Shankar Singh
For the Respondent/s : Mr.Sarva Deo Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 08-12-2022 I.A. No.01/2021

Learned counsel for the petitioners submits that during pendency of this application petitioner no.2 has died on 24.09.2020 and he has filed the substitution petition *vide* I.A. No. 01/2021 for substitution of the name of the legal heir of the deceased details of whom is mentioned in paragraph-3 of the Interlocutory Application.

After having heard learned counsel for the petitioners and taking into consideration the nature of prayer, the substitution petition (I.A. No. 01/2021) is allowed.

Let the name of petitioner no.2 be expunged and the name of his heir as mentioned in paragraph-3 of the said petition



be substituted as petitioner no.2.

At the very outset, learned counsel for the petitioners submits that *vide* Annexure-2 of the Interlocutory Application bearing 01/2021, in a similar circumstance, this Court *vide* its order dated 26.07.2018 passed in CWJC No. 15349/2014 has directed the University and the State to examine the claim of the petitioners for regularization in light of law laid down by the Hon'ble Apex Court in the case of *Secretary, State of Karnataka v. Umadevi* reported in (2006) 4SCC 1 and in the case of *Amarkant Rai v. State of Bihar* reported in 2015 (8) SCC 265 and take final decision within a period of four months from the date of filing of representation by the petitioners.

In view of the aforesaid submissions and the fact that in the similar circumstance, a direction was issued by a Co-ordinate Bench of this Court, the instant application is disposed of exactly in terms of order dated 26.07.2018 passed in CWJC No. 15349/2014.

Learned counsel for the University is present.

(Anil Kumar Sinha, J)

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