

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9596 of 2022

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Dinesh Prasad Sinha S/o Late Ramdhani Singh, Resident of - Near Ram Lakhan Singh Yadav College, South Side, Anisabad, Phulwari, P.S. - Beur, District- Patna.

... .. Petitioner/s

Versus

1. The Magadh University Bodh Gaya through its Registrar.
2. The Vice Chancellor, Magadh University, Bodh Gaya.
3. The Pro Vice Chancellor, Magadh University, Bodh Gaya.
4. The Registrar, Magadh University, Bodh Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner	:	Mr. P.N. Shahi, Sr. Adv. with Mr. Ritesh Kumar, Adv.
For the Respondents	:	Mr. P.K. Shahi, Sr. Adv. with Mr. Ajay, Adv.

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CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA

ORAL ORDER

7 13-12-2022 Learned Senior Counsel appearing for the petitioner has submitted that the interim order passed by this Court dated 14th July, 2022 and 24th August, 2022, was subject matter of L.P.A. No. 484 of 2022 by the respondents which stands disposed of. Learned counsel submits that the order of transfer has thereafter been withdrawn by order dated 21.10.2022 and the petitioner has been continued to remain under suspension and his headquarters have been placed at S.B.A.N. College, Darhetalari. Learned counsel submits that he has moved an application for seeking amendment in the writ petition, however, he prays at this stage to allow him to file fresh writ petition



assailing the order of suspension as well as the order dated 21.10.2022, if need so arises.

The Division Bench in its judgment dated 14.09.2022 has observed as under :

“6. Learned Counsel for the University submitted that during pendency of C.W.J.C. No. 9596 of 2022, respondent Dinesh Prasad Sinha is stated to have been placed under suspension on certain allegations on 20.08.2022. If he has been placed under suspension, the competent authority is required to examine as to withdraw the transfer order dated 09.06.2022 and proceed further in accordance with law in light of the suspension order dated 20.08.2022. Moreover, the present LPA is against interim orders of Learned Single Judge. Therefore, question of interfering with the orders dated 14.07.2022 and 24.08.2022 is not warranted. The learned single judge is requested to decide the main matter within a reasonable period of time.”

Learned Senior Counsel appearing for the University does not object to the withdrawal of the present petition.

Keeping in view above this Court allows the petitioner to withdraw the present writ petition in view of the fact that the grievance raised in the present petition stands redressed, so far as impugned transfer order is concerned which stands withdrawn. As regards suspension and placement during



suspension is concerned, the petitioner would always be free to challenge the same taking-up all the grounds which he may have taken-up in amendment application by filing a fresh petition.

Granting such liberty writ petition is disposed of as withdrawn.

(Sanjeev Prakash Sharma, J)

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