

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.418 of 2019

In
Civil Writ Jurisdiction Case No.10276 of 2018

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1. Magadh University, Bodh Gaya District- Gaya, through its Registrar.
 2. The Vice Chancellor Magadh University, Bodh Gaya, District- Gaya.
 3. The Registrar Magadh University, Bodh Gaya, District- Gaya.

... .. Appellant/s

Versus

1. Dr. Manoj Kumar Jha Son of Dr. Banshidhar Jha R/o N/8 Professors Colony, Kankarbag, P.S. Patrakar Nagar, District Patna posted as Department of Public Administration SBAAN College, Darhrtta lari a constituent unit of Magadh University, Bodh Gaya.
2. The State of Bihar through its Chief Secretary, Old Secretariat, Patna.
3. The Principal Secretary Department of Human Development Resources Government of Bihar, Patna
4. The Principal SBAN College, Darhetta Lari Arwal, Gaya.

... .. Respondent/s

Appearance :

For the University	:	Mr. Harsh Singh, Adv.
For the Resp. No.1	:	Mr. Purushottam Kr. Jha, Adv.
		Mr. Narendra Kr. Sinha, Adv.
For the State	:	Mr. Shashi Shekhar Tiwawry, AC to AAG13

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
and
HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR)

10 24-04-2023 The present appeal by the Magadh University, Bodh Gaya, is directed against the order dated 19.09.2018 passed in CWJC No. 10276 of 2018 wherein it has been held that the decision in the case of the petitioner/Dr. Manoj Kumar Jha would abide by judgment dated 17.07.2018 passed in CWJC No. 17670 of 2017 and other analogous



cases of Akhilanand Singh and others.

Against the aforementioned single Bench judgment in CWJC No. 17670 of 2017, the Magadh University had preferred an appeal vide LPA No. 794 of 2019 which stands dismissed on 26.09.2022.

Thus, the Magadh University would be well advised to either challenge that judgment before the superior Court or file a review before the Division Bench in case it is so deemed necessary.

We, therefore, do not get persuaded to entertain this appeal but give liberty to the appellant/University to file a fresh LPA in case the University succeeds in the review petition, if filed.

The petition is dismissed as withdrawn with the liberty aforesaid.

(Ashutosh Kumar, J)

(Harish Kumar, J)

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